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Heads P37.

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THE
Historical Register,

Containing
An Impartial RELATION
of all TRANSACTIONS, *Foreign*
and *Domestick*.

WITH A
Chronological Diary
OF ALL

The remarkable OCCURRENCES,
viz. Births, Marriages, Deaths, Removals,
Promotions, &c. that happen'd in this
Year: Together with the *Characters* and
Parentage of Persons deceased, of eminent Rank.

VOLUME XVIII.

For the Year 1733.

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THE *Historical Register.*



NUMBER LXIX.



HOLLAND.



THE Affairs at Home; and the Disputes between the King and Parliament in *France*, being of greater Importance than any other Occurrences in *Europe*, we thought it not improper to give them the chief Place in our two last *Registers*. But there having been other remarkable Incidents very worthy the Reader's Notice, and those two important Articles being dispatched, we are now able to find Room for inserting them.

Among others, the following Treaty is not the least considerable, by which the long Dispute between the King of *Prussia* and the Prince of *Orange*, about the Succession to King *William's* Estates as Prince of *Orange*, was at last accommodated. This grand Affair was brought to a Conclusion by Mess. *Lincius* and *Duncan*, Counsellors respectively to the King and the Prince, who revived the Plan which was drawn up above Six Years ago by Mess. *Meyndershagen* and *Vultejus*, but did not then take Effect, by Reason of the Minority of the Prince, and because the King of *Prussia* insisted, that their High-Mightinesses, as his Guardians, should guaranty the Execution of the Articles. By the Prince's being come of Age, that Difficulty has been removed, and the Agreement concluded between those two Princes; and on the 1st of *August* the Commissioners of the King of *Prussia* and of the Prince of *Orange*, who settled this Affair, delivered to their High-Mightinesses a Letter from his *Prussian* Majesty, and another from his Highness,

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Highness, notifying the Accommodation to them in Form, and a Copy of the Treaty was at the same Time deliver'd by each Party: Of this Treaty of Accommodation we shall here insert a full Copy.

In the Name of the Holy and Undivided Trinity.

THE many successive and repeated Negotiations for adjusting the Differences which happen'd after the Death of *William III.* King of Great Britain, of Glorious Memory, between his Majesty the King of Prussia, and the most Serene House of Orange and Nassau, in Relation to the Principalities, Counties, Lands, Estates, and Domains, descended from the late Princes of Orange, and lastly from the said King of Great Britain, made it too evident that they really wished to accommodate the same in an amicable Manner, not to hope but that sooner or later the same would be attended with Success, and consequently that they would at last be terminated to their mutual Satisfaction.

The Majority of his Most Serene Highness the Prince of Orange and Nassau, occasioned Overtures which tended to renew the Conferences formerly holden for that Purpose, and particularly the last Negotiation begun at Berlin in 1721: His Majesty the King of Prussia answer'd favourably thereto, and the two contracting Parties having nothing so much at Heart, as to regulate at length, upon just and reasonable Conditions, a Dispute which had lasted so many Years, agreed to cause Enquiry to be made what it stuck at in 1722, and to make it, as it were, the Basis of a new Negotiation.

It is therefore, in order to attain so salutary an End, and to strengthen with new Ties the Bands of Kindred and Friendship, by which they are already united, that the Most Serene and Most Potent Prince and Lord *Frederick-William*, King of Prussia, Margrave of Brandenburg, Arch-Chamberlain and Prince Elector of the Holy Roman Empire, Sovereign Prince of Orange, Neuchâtel and Valengin, Gelderland, Magdeburg, Cleves, Juliers, Berg, Stetin, Pomerania, the Cassubia's, the Vandals, and Mecklenburg; as also in Silesia, Duke of Crossen; Margrave of Neurenberg; Prince of Halberstadt, Minden, Camin, Pandalia, Swerin, Racheburg and Meurs; Count of Hohenzollern, Ruppin, La Mark, Ravensberg, Hohenstein, Tecklenburg, Lingue, Swerin, Bauren and Detmold; Lord of Ravenstein, Rostock, Stargard, Lawenburg, Arday, and Breda, &c. And the Most Serene Prince and Lord
William.

William Charles Henry Frise, by the Grace of God, Prince of Orange and Nassau, Count of Catzenellebogen, Vianden, Dietz, Spiegelberg, Buuren, Leerdam; Marquis of Ter-
Veer and *Flushing*; Baron of *Breda*, *Reylstein*, of the Town of *Grave*, and County of *Cuyk*; of *Yffelsein*, *Cranendonk* and *Eindhoven*, and of *Liesfelt*; Lord of *Bredenvoort*, *Turnhout*, *Gertrudenberg*, *Willemstad*, *Clundert*, *S. Maartensdyk*, *Seevenbergen*, *Steenbergen*, Upper and Lower *Swaluwe*, *Naaltwyk*, *Grimbergen*, *Herstal*, *Arloy*, *Neseroy*, *S. Vith*, *Burgenbag*, *Daasburg*, and *Warneton*; Independent Lord of the Isle of *Amelandt*, Hereditary Burgrave of *Antwerp* and *Befançon*, Hereditary Marshal of *Holland*, Stadtholder and Captain and Admiral General of *Gelderland* and the County of *Zutphen*, Hereditary Stadtholder and Captain-General of *Friesland*, Stadtholder and Captain-General of *Groningen* and the *Ommelands*, and of the Country of *Drenthe*, &c. have nominated and authorized their Ministers, namely, his Majesty the King of *Prussia*, his Ministers of State Lieutenant-General *Adrian-Bernhard Von Borcke*, *Henry Von Podewils*, and *William-Henry Von Thulemeier*; and his Most Serene Highness the Prince of Orange and Nassau, his Ministers *Diderick* Baron of *Lynden*, Lord of *Parck*, Brigadier and Colonel of a Regiment of Horse, and Great Master of his Household; *Hobbe*, Baron of *Aylua*, Colonel of a Regiment of Foot, his Master of the Horse, and *Drossaert* of the County of *Buuren*; and *John Duncan*, his Counsellor in Ordinary, and Master of Requests, and Counsellor and Comptroller of his Domains; who having mutually conferred together, and exchanged their Full Powers, Copies whereof shall be inserted at the End of this Treaty; and having resumed the Thread of the last Negotiation at *Berlin*, and debated on what remained to be regulated, have agreed, in the Name of his Majesty and of the Most Serene Prince, their respective Masters, on the following Articles and Conditions, viz.

I. An equal Partition of the said Principalities, Counties, Domains, Lands, Houses, and Effects, having been the Foundation of the preceding Negotiations, it was agreed still to have Recourse thereto, as the best Expedient for putting an End to all past and future Contests; and all that remains to be adjusted, in order to regulate and perfect the Plan of Partition drawn in 1722, having been discussed, and carefully weighed, it was agreed, in order thereunto, in Manner as follows:

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II. The Lord the King of *Prussia* shall have for his Share, the Principality of *Orange*, with the Lordships and Places of the Succession of *Chalons* and *Chatel-Belin*, situate in *France*, and in the County of *Burgundy*, the whole in the Manner his Majesty yielded the Property thereof to the Most Christian King, by the Treaty of Peace signed between him and *France* at *Utrecht*, the 11th Day of *April* 1713; and the Lord Prince of *Orange* and *Nassau* declares that he acquiesces with that Cession, so that he will not trouble or molest the Most Christian King in the peaceable Possession of the Principality of *Orange*, and the other Estates above specify'd.

III. As his Majesty has engaged and promised, on this Occasion, to satisfy by an Equivalent the Pretension which the Heirs of the late Prince of *Orange* and *Nassau* made to the said Principality and the other Estates above-mention'd; the Most Serene Prince declares for himself, and for his Heirs and Descendants, Male and Female, that he does and will rest content, in that Respect, with the Equivalent which he shall receive for his Share, as hereafter mention'd; so that the Lord the King shall not be obliged to make him any further Satisfaction on that Account, in any other Manner, or for any Reason whatever.

IV. The Lord the Prince shall have the Liberty of giving the Name of *Principality of Orange* to any other of his Domains as he shall think proper, and to retain the Title and Arms thereof, as well for himself as for his Heirs and Descendants, Male and Female, in the Manner stipulated in Favour of the said Lord the King, by the Treaty afore mention'd; and his Majesty promises and engages to use his good Offices, that the Most Christian King may give his Consent thereto, in order to remove and take away every Thing which may occasion new Disputes. Provided however, that this shall not be of any Prejudice to his Majesty the King of *Prussia*, with regard to the Titles and Arms of *Orange*, which shall be always continu'd in the Royal Family, Princes and Princesses of *Prussia*.

V. His Majesty the King of *Prussia* shall have more for his Share, and keep as sole and whole Proprietor, as well for himself, as for his Heirs and Successors, the Principality of *Meurs*, the County of *Lingen*, the *Amnany of Montfort*, the Lordship of Upper and Lower *Swaluwe*, the Lordships of *Naaltwyk*, *Hoenderland*, *Wasseringen*, *Orange-Polder*, and *'sGravesande*; the Tolls of *Gennepe*.

Gennep, the Barony of *Herstal* entire, the Lordship of *Turnhout*, the House at the *Hague* call'd the *Old Court*, and the House at *Honstaardyk*; and the Lord the King shall enjoy the said Estates, Domains, Lands, and Houses, with all their Appurtenances and Dependencies, Rights, Revenues, Justices, Jurisdictions High and Low, Regal Rights, Prerogatives, and Pre-eminencies thereunto annexed, Tents, Mills, and Dependencies which belong to the said Lordships and Estates, situate and raised in their Districts, which the Princes of *Orange* enjoy'd, without Exception or Distinction by which of the said Princes they might be acquired; and with Regard to the Houses, with the Furniture belonging to, and now actually in them; and the Lord the Prince does and shall renounce, as well for himself, as for his Heirs and Descendants, Male and Female, in Favour of his Majesty, and his Heirs and Descendants, Male and Female, all the above mention'd Rights of Property, and others, to the said Estates, Domains, Lands, and Houses; so that neither he, nor his Heirs and Successors, shall ever form any Pretensions thereto, under any Title or Pretence whatsoever.

His Most Serene Highness will likewise take Care, that as soon as the present Treaty is ratify'd, the Toll which has been hitherto gathered in the Town of *Grave*, under the Name of the Toll of *Gennep*, shall entirely cease.

VI. The Lord the Prince shall make no Pretension with Regard to the Amman of *Montfort*, by Virtue of the Sentence of the Court of *Ruremonde*, of the 23d of April 1704; nor yet with Regard to the Principality of *Meurs*, the County of *Lingen*, and other Domains, Lands and Effects above mention'd, which the Lord the King now actually does, or shall hereafter enjoy by Virtue of the present Treaty, under Pretence of having been improved or augmented, or upon Account of Provisions, Arrears, and Remainders of Accounts, which were due to the late King *William* and his Heirs, when his Majesty took Possession of them; but all those Improvements, Augmentations, Provisions, Arrears, and Remainders of Accounts shall likewise be to the Use of the Lord the King.

VII. The Lord the Prince of *Orange* and *Nassau* shall have, for his Part, and shall keep as sole and whole Proprietor, as well for himself, as for his Heirs and Successors, all the other Domains, Lands, Houses and Goods

Goods belonging to the Succession of *Orange*, as well those which are already deliver'd up to him, as those which are still under the Administration of their High-Mightinesses the States-General of the United Provinces, or in the Hands of Foreigners, without any Exception; as also the Houses which his Majesty the King of *Prussia* actually enjoys, and which he shall yield to him by Virtue hereof; and also all the Estates, Domains, Lands, and Houses belonging to the Succession of *Orange*, which are not comprized in his Majesty's Part.

As first, the Domains, Lands, Houses and Goods which are already deliver'd up to his Most Serene Highness, and which he is actually possessed of; namely, the Amman of *Bredenvoort*, the Tenth of *Buuren*, the Lordship of *Seevenbergen*, the *Hondenhuys* at the *Hague*, the Tenth under *Delft* and *Monster*, the House call'd the *Kruytberg*, *Colinplaat*, and the other Estates in *Noord-beveland*; the Barony of *Yffelstein*, the Estates in the *Hulster Ambacht*, the Palace at *Brussels*, the Barony of *Diest*, the Lordship of *Zichem* and *Scherpenheuvel*, the Lordships of *Roozendaal*, *Nispen*, *Oosterhout*, and *Dongen*; the Lordship of *Steenbergen*, the Lordship of *Princeland*, the Barony of *Kranendonk*, and the Lordship of *Eindhoven*.

And secondly, the Domains, Lands, Houses and Goods, which are still actually under the Administration of their High-Mightinesses the States-General of the United Provinces, or in the Hands of Foreigners, without any Exception; namely, the House of *Dieren*, with its Appurtenances and Dependencies; the House of *Loo*, with its Appurtenances and Dependencies; the Lordship of *Klundert* or *Nierwaard*; the Lordship of *Gertrudenburg*, with its Appurtenances and Dependencies; the Marquisate of *Ter-Veer* and *Flushing*; the Lordship of *S. Maartensdyk* and *Sherpenisse*; the House of *Soestdyk*, with its Appurtenances and Dependencies; the County of *Buuren*, the County of *Leerdam* and *Acquoy*, the Lordships of *Grimbergen*, *Meerhout*, and *Voorsch*, the Burgraviate of *Antwerp*, the Barony of *Breda*, the Estates of the Commandery of *Braque*, the Barony of *Grave* and of the Country of *Cuyk*, the Lordship of *Willemslad* and *Ruygenhill*, the Estates of *Weernhout*, *Vyanden*, *S. Vith*, and *Eutgenbach*, *Daasburgh*, and *Warneton*.

The Lord the Prince, having, by the Fifth Article above, yielded to his Majesty the King of *Prussia*, the Barony

Barony of *Herftall* all entire, one half of which his Most Serene Highness had hitherto enjoy'd ; he shall have in Exchange for his Part, and shall likewise keep as sole and whole Proprietor, as well for himself as for his Heirs and Successors, the Lordships of *Monfter*, *Ter-Heiden*, the Moiety of *Loofduynen*, the Fiefs of *Polaanen* and the Farm adjoining, the House of *Nieuburg* near *Ryfwick*, consisting of 15 Acres 580 Rods, formerly rented by *Peter Colin*.

And his Majesty the King of *Prussia* moreover does and shall yield to the Lord the Prince, as a particular Mark of his Friendship, the House of *Nieuburgh* situate near *Ryfwick*, and the House in the Wood call'd the *Orange-Saal* ; and his Most Serene Highness shall likewise be discharged from the yearly Rent of 1000 Florins, which was to be paid for the Maintenance of this last House, out of the Revenues of *Sevenbergen* : Provided however, that the Most Serene Prince shall be obliged to make Satisfaction to the General Baron *de Keppel* for the Improvements which he shall prove he has made in the said House in the Wood, and its Appurtenances and Dependencies ; and the said Lord the Prince shall likewise enjoy the said Estates, Domains, Lands, and Houses, with all their Appurtenances and Dependencies, Rights, Revenues, Justices, Jurisdictions high and low, Regal Rights, Prerogatives and Pre-eminencies thereunto annexed, Tents, Mills and Dependencies, which belong to the said Lordships and Estates, situate and raised in their Districts, which the Princes of *Orange* enjoy'd, without Exception or Distinction, by which of the said Princes they might be acquired ; and with Regard to the Houses, with the Furniture belonging to and now actually in them ; and the Lord the King does and shall renounce, as well for himself, as for his Heirs and Descendants, Male and Female, in Favour of the Lord the Prince, and his Heirs and Descendants, Male and Female, all the above mention'd Rights of Property, and others, to the said Estates, Domains, Lands and Houses ; so that neither he, nor his Heirs and Successors, shall ever form any Pretensions thereto, under any Title or Pretence whatsoever.

VIII. The two high Contractors, and their Heirs and Descendants, Male and Female, shall keep all the Titles and Arms which they have hitherto made Use of, each on his Side, with Regard to the Principallities, Counties, Domains, Lands, Houses and Goods belonging to

to the Succession of *Orange*; but this without Prejudice either to his Majesty the King of *Prussia*, or to the Most Serene Prince, or to their respective Heirs and Descendants, Male and Female; and without Derogation from the perpetual Validity of the mutual Cessions made by this present Treaty.

And as his Majesty the King of *Prussia* has declared, as well during the former Negotiations, as in the Course of this, that he would be glad if the Lord the Prince would not hereafter assume the Titles of *Meurs* and *Lingen*; his Most Serene Highness, eager to embrace every Opportunity of doing his Majesty a Pleasure, has condescended to renounce the same; and he does renounce them by the present Treaty, including the Arms, as well for himself, as for his Heirs and Descendants, Male and Female, in like Manner as the Lord the King, out of the same Complaisance, has condescended to renounce, as his Majesty does by this Article renounce, as well for himself as for his Descendants, Male and Female, the Titles and Arms of the Marquisate of *Ter-Veer* and *Flushing*: And thus the two high Contractors are not for the future to make Use of the Titles and Arms above mention'd, on either Side respectively.

IX. And with Regard to the Supply which the Lord the King, as well as the Lord the Prince, should have received yearly, pursuant to the Resolution of their High-Mightinesses of the 11th of *July* 1711, whereof the Council of Domains have paid them but about one Year only, because the other unavoidable Expences for the pressing Occasions of the Succession, which, by Virtue of the said Resolution, were to be preferr'd to the said Supply, did not afford them Means and the necessary Sums to continue the Payment; his Majesty shall, as he does, hereby renounce all Rights and Pretensions which he might form upon that Score, and consequently the Arrears he might demand thereof, which shall be apply'd to the Benefit of the Succession in general.

X. As there are others, who, as Heirs, or calling themselves such, form Pretensions to part of the Estates, Domains, and Lands of the Succession of *Orange*, which are included in the present Partition; the two high Contractors promise each other a reciprocal Guaranty against those Pretenders, and mutually to assist each other, Violence only, and Force of Arms, being excepted, with all kind of Endeavours, Actions, and
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other substantial and effectual Means, which their Rights can furnish them, jointly or separately, according as it shall be found most conducive to the common Interest ; and to keep and maintain themselves and each other in the Possession and peaceable Enjoyment of every Thing that is yielded to one and the other Party by this Accommodation ; and this Guaranty shall particularly regard the Pretension which the Prince of *Nassau-Siegen* forms to some of the said Estates, Domains and Lands ; and the Lord the King of *Prussia* engages, if Occasion requires, and it is demanded by the Lord the Prince, to bring his Action immediately, by Way of Intervention or otherwise, against the said Prince of *Nassau-Siegen* ; which his Majesty will prosecute with the utmost Vigour and Dispatch that is possible ; and his Majesty obliges himself to use all other imaginable Means, as well judiciary as extrajudiciary, to induce the said Prince to desist from so unjust and ill-grounded a Pretension.

XI. The Lord the Prince will take upon himself, and takes upon himself all the Debts which are standing out in general, from the Succession of the said Lords the Princes of the House of *Orange*, including the Debts which to the Day of the signing of the present Treaty are due from *Westland*, and the Pension settled by way of Feoffment of Trust by Prince *Frederick Henry*, upon *M. Frederick de Zulestein*, and his Descendants, as well for the Time past as to come, except those which redound to the Profit of the Lord the King ; and his Most Serene Highness shall have the Benefit only of the Debts and other Pretensions thereunto belonging, including the Annuity settled by the States of *Holland* and *Zealand* in the Year 1684, in Favour of Prince *Frederick-Henry* of *Orange* ; as well for the Time past as to come, without any Exception, unless of such as belong to his Majesty ; so that the Pretensions which the two High Contractors might form one against the other, shall be more particularly compromised here below ; and the two Annuities of 80,000 and 20,000 Florins, arising from the Duties of Import and Export on the *Maas*, in Regard to which, it has been particularly agreed as follows :

XII. For what concerns the two Annuities of 80,000 and 20,000 Florins, arising from the Duties of Import and Export on the *Maas*, it is stipulated and agreed, that

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the Lord the King shall have the Annuity of 80,000 Florins, and the Prince that of 20,000 Florins for his Share.

XIII. And as for the Arrears of these two Annuities, which are due to the Succession from the Year 1703, to the Day of the Ratification of the present Treaty; it is agreed, that they shall be equally divided between the two contracting Parties, and that each of them shall enjoy one Moiety; provided however, that his Majesty the King of *Prussia* shall not be obliged to contribute to the Payment of his Arrears, tho' he has had a Share of the Duties of Import and Export on the *Maes*, since the Year 1713.

XIV. As among the Debts owing to the Succession, there are two Pretensions charged on the King of *Spain*, assigned by his Majesty upon the Revenues of the *Indies*, by the Treaty of the 26th of *December* 1687; one of them an Annuity of 50,000 Florins a Year, and the other a Principal Sum of 120,000 Crowns; the Lord the King engages to assist the Lord the Prince by all Sorts of good Offices in the Recovery and Payment of those Claims, and his Majesty will endeavour to obtain the Payment thereof, as well for the Time past as to come.

XV. In Relation to the Debts owing to, or charged upon every Domain, or Land Estate in particular, it is stipulated and agreed, that except those belonging to the *Westland*, which are disposed of as aforesaid, all the others shall remain to the Profit or Charge of such of the Contracting Powers as shall have the Property thereof; and not only the Produce and Revenues which they have received from the Lands and Estates which they have actually in Possession, but also all the Revenues, Fruits and Arrears of Accounts which are not yet paid, of the Lordships and Estates which they receive by the present Partition, shall redound to the Advantage of such of the high Contractors, as shall have them for his Part.

XVI. With regard to the Jewels and Plate belonging to the Succession of *Nassau Orange*, it is agreed, that each Party shall abide by the Partition which was made thereof in the Year 1702.

XVII. And in order to prevent all new Occasion of Difference and Dispute between the two contracting Parties, and fully to obtain the salutary End proposed by this Accommodation, they will and do renounce reciprocally, for themselves, and their Heirs and Descendants,

cendants, Male and Female, all Sorts of Actions and Pretensions whatsoever, which on this Occasion they have commenced, or may commence against each other, upon any Cause or Pretence whatsoever; and all such Actions and Pretensions shall be entirely compromised and annulled; as also the Processes, Proceedings, and Prosecutions begun on either Part on that Account, shall cease, and be extinct, as soon as the present Treaty shall be ratify'd.

XVIII. The two contracting Parties shall reciprocally deliver and surrender up to each other, the Originals of all the Titles, Charters, Documents, Registers, Accounts, and in general all the Records and Papers relating to the Estates, Domains, Lands, and Houses, which belong to each by this Partition, and of which they mutually yield up the Property and Possession by the present Treaty; and each of them shall dispose thereof as he thinks the most suitable to his Interests; and this not only with Respect to the Records and Papers they actually have in their Custody, but also those which by Virtue of the Administration of the States-General of the United Provinces, are in the Keeping of the Council of the Domains of the late King William.

XIX. As soon as this Treaty shall be concluded and ratify'd, the two contracting Parties shall jointly apply themselves to the States-General of the United Provinces, as Executors of the Wills of the late King of Great Britain, William III. and of Frederick-Henry, Prince of Orange, to communicate to them this Accommodation, to the End that the Surrender of the Estates, Lands, and Houses, with the Records, and every Thing that depends thereon, which belong to each by this Partition, and are still under the Administration of their High Mightinesses, may ensue; and the contracting Parties shall mutually and in concert do all they can that the said Surrender may be made without any Delay, as soon as possible.

XX. The present Treaty shall be ratify'd and approved by the Lord the King and the Lord the Prince, and the Letters of Ratification shall be deliver'd within the Space of four Weeks, from the Day of signing thereof, or sooner if it be possible.

In Witness whereof, we the Ministers of his Majesty the King of Prussia, and of his Most Serene Highness

the Prince of *Orange and Nassau*, by Virtue of our respective Full Powers, have put our Hands and Seals to this present Treaty.

Done at *Berlin*,
May 14, 1732.

Sign'd,
A. B. Borken,
H. D. Podewils,
G. H. de Thulemeir.

Done at *Dieren*,
June 16, 1732.

Sign'd,
D. V. Lynden tot de Park,
H. Van Aylua,
J. Duncan.

The Counsels of this State are so perfectly united to those of *Great Britain*, and both are so entirely directed to preserve that universal Peace which (by the Blessing of God) *Europe* enjoys at present, that we have no other political Informations from this Country to lay before our Readers. But a very extraordinary natural Event has happen'd here, which when the Report of it first broke out, caused very strange Discourses and Alarms, both in this Country and in other Parts; it being said, that the Worm was got into the Piles there; which, if it had been true to the Degree that was represented, would have endanger'd the very Being of the State. But because all our Readers may not so perfectly understand the Nature of this strange Mischief, without some additional Explanation, we shall give a more particular Account of it.

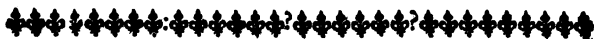
Now it is well known to all Sailors, that in several Parts of the World, more especially in the hotter Regions, Ships are grievously infested with Worms of a very strange and dangerous Nature. These little Creatures, by the Instruments with which Nature has provided them, joined with a strange Activity they are endued with, do in a wonderful Manner either find or make their Way into those Planks in the Ship's Sides, which are under Water, though at a Time when they are so extremely small, that it is scarce possible to find out the Place they entered at. When they are once lodged, they increase apace in Bulk and Numbers; for being particularly disposed for that Habitation above any other, they quickly fall to feeding on the Wood, and, as it should seem, by the Nourishment they gain from thence, (whatever that be) they become of a very considerable Magnitude, as of two, three, four, or six Inches

Inches long, and of a very considerable Thickness. They breed also very fast, and in great Numbers; and thus their Forces daily growing, and the Work going on Day and Night among such busy Labourers, they will in no long Time eat out the Heart of a stout Oaken Plank. Their Method of doing this is, not by eating all about them as soon as they are entered, and so making the Hole bigger and bigger, as they devour more and more of the Wood; but each Worm, as soon as he is able to work, begins to make a Hole of the Bigness of his Body; and when this is done, he goes on in a right Line, making this Hole longer and longer, like a Canal or Pipe, through the Body of the Timber, 'till he is come to the End of it: Then he turns aside on either Hand, and goes back again towards the Place he set out from, making another new Canal not far from the other. In the mean Time, in his Passage he is always breeding young ones, which as soon as they are able to shift for themselves, do not follow their Parent in a Train, but take each their several Roads through the Plank or Beam, in different Lines. And thus the Timber being eaten through long-wise and cross-wise, and in all manner of Directions, by an Enemy daily increasing, becomes at last like a Sponge or a Honeycomb, and by consequence utterly unable to bear the Shocks of a tempestuous Sea. It is to be observed farther, that all the Mischief done by these Worms is as secret as it is pernicious; for as they die as soon as they come to the open Air, they never, in the various Passages they make through the Timber, pass through the Outside, which by that Means looks as fair and sound to the Eye as if all were ever so firm and solid within. And to prevent this Havock made by these Creatures, Ships that go to the Places where they have Reason to expect them, are sheathed; that is, their Bottoms are covered with a Layer of a Composition made of Hair and Pitch, and other proper Ingredients; over which a false Bottom is fastned on to keep the same close to the true Bottom. And thus the Worms are in good measure prevented from hurting the Ship; for though they will enter the false Bottom, and harbour there according to their Custom; yet they can't hurt the true Bottom, because the Composition that covers it being disagreeable to them, they don't care to make their Way through it.

It was always thought that these Worms were peculiar to the hotter Climates, and that the Cold of our Northern Regions was fatal to them, till this last Year several Rumours came from *Holland* that they were found among the Piles there. They could not have appeared in a worse Place; for the Country being in a great Measure gained from the Sea by Industry and Art, they are obliged to keep the Water from recovering its own by strong Banks made to resist its Force; which are what they call the Dykes of *Holland*. And it is not more strange than true, that a great Part of that Country lies several Foot below the Level of the Sea, which were it not kept out by the Dykes would in a few Hours lay all under Water to a prodigious Extent. And yet such is the Force of the Dykes, that in Dependence on the Strength of them, Towns and Villages lie thick in those Parts, where nothing could save them if the Banks should give way for Half an Hour. Now these Dykes being founded on Piles, it is easy to see that if the Worms should get into those Piles, and eat thro' them in the Manner above described, all the Country, whose Security depends on the Dykes, must be in the utmost Danger that is conceivable; for they could never be sure that the Sea would not break in upon them and swallow them up the next Moment, it being impossible for worm-eaten Piles to stand long against the Weight and Fury of the Waters; and what Hour they would give Way no one could tell. Besides this, another terrible Destruction was also threatened to them from these fatal Animals; for a great Part of their Buildings, and especially the whole City of *Amsterdam*, are built upon Piles driven in with vast Labour through the boggy Surface of the Earth to a great Depth, in order to reach at last to a firm Foundation. Now if the Worms should get into these Piles also, the Foundations of the whole City would be in danger; and it would be impossible to prevent the Mischief, because there could be no way of getting at it, or of remedying it if they could.

What is here mentioned will, we hope, give some Light to our Readers as to the Nature of this Alarm, and the Ground there was for it: But how far those Rumours were true, and whether there was any Occasion for such exceeding terrible Apprehensions as those above-mentioned, we are not able from any authentick Grounds to inform them. Thus much is certain, that these

these Vermin were got into some of the Piles; and that a Fast was order'd by the States of *West-Friesland*, that this Judgment might be averted from the Country. But as the Discourse on this Subject is lately grown cool, it is to be hoped that there was not so much in it as was at first imagin'd; or else, that the Cold of the Winter, by killing those Insects had removed all future Fears. However, as few of our Readers can have miss'd hearing of this extraordinary Alarm in Conversation, we thought it necessary to give this general Account of it a Place in our *Register*; tho' the Particulars, by the Jealousy of that State, have not been expos'd to publick View; and as to doubtful Reports, the Insertion of them is not suitable to our Design.



S P A I N.

THE Court here has taken a very extraordinary Step, which has occasion'd great Discontents among the trading Nations, especially the *Dutch*; they having lately set up an *East-India* Company, which is a Thing altogether unknown to this Kingdom before, which had hitherto contented itself with the *American* Commerce. As this Affair is of great Consequence to the Trade of *Europe*, and may, perhaps, make as great a Bustle as the *Osland* Company has done, we shall therefore present our Readers with a Copy of the Charter granted to them.

THAT forasmuch as it is conducive to his Majesty's Service, to promote Trade between the Subjects of his respective Kingdoms and the *Philippine* Islands; his Majesty, at the Instances which have been made to him by Don *Emanuel Ariaga*, as well in his own Name, as in the Name of Don *Francisco de Arteaga*, Don *Juan Martines de Albinagosa*, and Don *Juan de Ledegni*, *Spanish* Merchants, Undertakers of the said Commerce, and Inhabitants of *Cadix*, as also in the Name of all the other *Spanish* Merchants and Vassals, who shall be inclined to adventure their Fortunes therein, has approved, upon the following Articles and Conditions,

tions, the Memorial presented to him upon that Subject by the said Don *Emanuel Ariaga*.

I. The *Spaniards* alone shall be admitted into this Commerce, and may continue it for ten Years, with two or four Ships from 500 to 800 Tons, and from 30 to 50 Pieces of Cannon, more or less, according as the Circumstances or Occasion may require. These Ships shall sail from the Bay of *Cadix*, and shall be expedited in Form, and with a proper Register, by the Presidents and Counsellors of the College of Commerce, in the same Manner as is practised with Regard to the Ships which sail for the Ports of *America* under his Majesty's Dominion.

II. As these Merchants, at their own Expence and Hazard, open a Commerce which may be very useful and advantageous for these Kingdoms, they shall pay no Duty or Custom, by the Ton or otherwise, call'd by the Name of *Extrangeria* and *Media Annata*, excepting only 800 Pieces of Eight *Reals de Plata*, which they shall pay for each Ship, or what Burden soever, which shall be at the King's Disposal, to be laid out in Works of Piety, or whatever else his Majesty shall think fit.

III. The Captains and Lieutenants of every Ship shall bear the King's Commissions. The two chief Officers shall certainly be *Spaniards*, with Power to serve either by Sea or Land.

IV. If the Officers do not execute their Instructions, but violate the Laws and Ordinances of the *Indies*, they shall be severely punish'd for it, and the Directors shall not be answerable for the ill Conduct of the said Officers.

V. The said Ships shall be provided with the needful Artillery, Arms, and Ammunition; and there shall be put on board them, in Case of Need, 30 or 40 Marines, to keep the Crews in awe, who, as well as the Officers, shall consist of two Thirds *Spaniards* at the least.

VI. In Case the Undertakers should think fit, for their greater Security, to hire one of the King's Ships, they shall have one of what Burden they please, provided they agree with his Majesty's Ministers about the Freight and other Expences.

VII. The Cargoes of the said Ships shall consist of Wines, Brandy, Dyers Wood, Oils, Almonds, Figs, Olives, and other Fruits and Produce of the Kingdom;

as also of Hats, fine Cloths, Serges, Camblets, Barragons, Perpets, and other Cloths and Stuffs, in which there is *Spanish* Wooll, made by Foreigners, and such other Merchandizes as they shall think most saleable at the Places they are design'd for : They shall pay no more for the Exportation of the said Commodities, than the Duties stipulated in the Ordinance of the 5th of April 1720, concerning the Flota's, Galleons, and Register Ships. They may likewise put on board each Ship 250 or 300,000 Pieces of Eight in Silver, to be laid out in the Purchase of such Merchandizes of the *East-Indies*, as their Ships may bring into these Kingdoms, provided nevertheless, that the Money be registered : And in order to favour this new Commerce, they shall pay but One *per Cent.* in Specie for the Exportation of that Money.

VIII. Every Ship that goes out, shall have a Register of her Cargo, with the necessary Dispatches for the King's Ministers in the *Manilles*.

IX. The Company shall trade in all the Ports of the *Philippine Islands* which they shall judge proper, with their Ships or other smaller Vessels, in the same Manner as the Inhabitants of those Islands might do, if they were not prohibited by the *Recopilation*, or Laws of the *Indies* ; but those Laws shall not take Effect with Regard to the Ships and Vessels of this new Company, to which his Majesty will grant the necessary Instruments and Permission for that Purpose. They shall pay no Duty of Custom, or other, for any Thing they shall have bought on Account of the Company, and carry'd to the *Manilles*, to load their Ships. In Case the said Ships should be obliged to put into the Ports of other Powers, either by Storm or any other Accident, or to get Provisions or Water, they may freely do it by Virtue of the Royal Protection which is granted them, and which will be respected by all Nations and Princes, &c.

X. Precise Orders shall be sent to the Governor and Captain General of the *Philippine Islands*, to favour and defend in all and every Thing this Navigation and Commerce, that the Undertakers may make it freely, without Hindrance, and without being liable to any Contributions ; as also to furnish them, or cause them to be furnished, at a reasonable Price, with Wood, Cordage, Provisions and other Things they may stand in need of. The said Governor shall moreover be ordered to give Notice to those of the Commerce in the said Islands, that

that the Ships will arrive there every Year, that the Merchants may provide the Commodities which the Company's Factors will want, or which they shall be willing to put on board the Company's Ships to be brought to Spain on their Account, and at their Hazard, pursuant to the said Company's Charter.

XI. The Company's Ships shall sail from Cadix in the Months of October and November. They shall put in at Brazil for fresh Water, as also at the Cape of Good Hope and Madagascar, and shall pass through the Streights of Sunda, &c. The Prohibition against navigating in the Streights of Magellan, to prevent the Frauds which might be committed in the Spanish Ports of the South-Sea, shall remain in its full Force.

XII. If the Ships, in their Voyage to the Philippine Islands, should have Occasion, or should judge it convenient to put into any Port, or to go on Shore in any Island of the Negroes in Ethiopia, to buy Negroes for Sale in the Philippine Islands, or to bring them into Spain, they shall be permitted to do it with all freedom.

XIII. The Merchandizes which the Company's Ships shall load at the Philippine Islands, to be transported to Spain, shall be registered by the King's Officers at Manilles; and on their Return they shall declare, *bona fide*, to the President of Commerce, what other Goods they have loaded in their Passage at other Ports.

XIV. The lading of the Ships homeward bound, shall consist of Copper, Raw and Thrown Silk, Bohea and Green Tea, China Ware, Damasks, Jewels, Cottons, Cloves, Nutmegs, Cinnamon, China Root, Rhubarb, Cocoa, Gums, Borax, Musk, Benjamin, and all Sorts of Drugs and medicinal Herbs, whereof there is great Consumption in Spain, and all over Europe. As for wrought Silks, it shall not be permitted for the present to import any more than a certain Quantity in each Vessel, and on Condition of their being exported out of Spain, after having paid the Duties which shall be laid on those Merchandizes.

XV. The Ships shall pay on their Arrival in this Kingdom 8 per Cent. *ad valorem* for the Spices, as Cinnamon, Cloves, Pepper, &c. and 5 per Cent. *ad valorem* for the other Merchandizes, according to a List which shall be given them, and the Merchandizes shall be taxed on the Foot of the Price they bear, on the Arrival of the Ships.

XVI. Among these Duties shall be included those of Importation and Exportation, which are paid at the Custom-house, and belong to his Majesty's Revenues, or to the Communities of Towns, or private Persons, as also the Duty called *Alcavala*, and the Duties on the Consumption of those Sorts of Goods and Spices; which Duties, however, shall be paid by those Merchandizes which Foreigners import and sell here; and in order to prevent the Frauds which may happen on that Account, an Invoice of the Cargo of every Ship shall be brought into the Registry of the College of Commerce, upon unloading of the said Cargoes at the Custom-house at Cadix, where the Goods shall be put into Ware-houses.

XVII. The Company may chuse such Warehouses as they shall think proper to contain all the Goods which shall come from the *Indies*, and may also cause them to be sold by Directors, either publicly or privately, in Whole or in Part, without paying for the first Sale any *Alcavalas* or other Duties, all those Duties being included in the 8 and 5 *per Cent.* stipulated in the 15th Article.

XVIII. This new Company shall also have Liberty to trade to the *West-Indies*, for which Purpose they may ship off on board the Flota, Galleons, and Register Ships, such Merchandizes, Spices, &c. as they shall think proper to be sold there, upon paying the King's Duties, and those of the Ports where Merchandizes shall be loaded.

XIX. The Company may export to Foreign Countries, the Goods and Merchandizes which they cannot sell in this Kingdom, nor send to *America*, without paying any Duties but those included in the 8 and 5 *per Cent.* afore mention'd, on account of the general Good which will accrue to the Royal Revenues, and the Subjects in general.

XX. Those who by purchasing at the Sales, shall become Debtors to the Company, and shall not pay the Day it becomes due, shall be sued with the utmost Rigour of the Law, without any Stay of Prosecution.

XXI. The first Director of this Company shall be authorized to nominate, in case of his Absence or Sickness, another Person to direct the Affairs in his Stead for awhile, provided he gives Notice thereof to the Parties concern'd.

XXII. The Person principally concern'd in this Company, shall be deemed the Proprietor, till he has

formally renounced it in Favour of another, and caused him to be register'd in the Books of the Company.

XXIII. The Directors shall not be arrested, neither shall their Goods be liable to Distress, for any Charge of Mal-Administration, or for the Salaries of those employ'd by them, till the Judge's definitive Sentence be first obtain'd; and in the Cases above mention'd, as well as in what regards the Invoyses and Deposits, the Consulate of the *Cargadors*, or Supercargoes, shall act as Judges.

XXIV. The Directors shall be chosen from among the Merchants that trade to the *West-Indies*, and are qualified for it: They shall be obliged to live at *Cadiz*, and shall not accept of any publick Employ. If any Director happens to fail, he shall be obliged to resign the Direction, immediately after his Failure is publickly known.

XXV. The Directors shall take an Oath before the President of the College of Commerce, that they will act in this Undertaking with all the Candour and Honesty that can be required of them.

XXVI. The Directors shall form a Company, without limiting any Fund or Capital, that all such *Spaniards* as are minded to be concern'd, may be admitted: Only the *Spanish* Merchants shall have Privilege of voting in their Assemblies: They shall chuse the twelve Directors at a General Meeting, either for a Year or a longer Term; and these General Meetings shall be held as often as they shall be thought conducive to the Good of the Company.

XXVII. The Books of the Company or those of the Directors shall not be taken out of the House which is called by their Name, nor from the Book-keepers, in order to be revis'd or examin'd; but due Credit shall be given to the Certificates which the Company shall give, when required so to do.

XXVIII. During the Continuance of this Undertaking, no Person whatsoever shall be permitted to navigate to the *Philippine* Islands, or to return from thence to *Cadiz*, either by the Way that the Company designs to take, or by the Streights of *Magellan*, or by *Cape Horn*; to the End that the Inconveniencies which might result therefrom, may be prevented.

XXIX. The Prizes which the Company shall take from the Pyrates, or from the Enemies of the Crown, shall belong to them, only paying 10 per Cent. *ad valorem*.

XXX.

XXX. The Company shall have the Property of the Countries they shall conquer from the Infidels; as also of the Countries deserted, which they shall people, the whole according to the Laws of *Spain*, contained in the *Recopilation* (Body of Laws) of the *Indies*, &c. They shall likewise have the Power of sending Clergymen and other Persons thither, to instruct the *Indians*. On the other Side, the Company shall be obliged to maintain the Garrisons of the Forts they shall build in the Islands deserted, or elsewhere, for their Defence.

XXXI. The Company shall likewise be obliged to carry to the *Philippine Islands*, the Ammunition and Troops the King may have Occasion for there, without demanding any thing for the Freight; but there shall not be put on board any one Ship above 25 or 30 Tons, nor more than 20 or 30 Soldiers.

XXXII. The Company shall be permitted to send out every Year, at what Time they shall judge most proper, the Ships they shall have Occasion for, either to trade, or to serve as Convoy.

XXXIII. The Ships which the Company shall purchase, either in or out of the Kingdom, with all their Rigging, Provisions, &c. shall enjoy the same Franchises and Privileges, as the Ships that trade to the *West-Indies*.

XXXIV. The Company's Marines and Officers shall enjoy the same Franchises, as the Officers and Marines on board the King's Fleet; and they shall be employ'd only in the Company's Service; excepting, however, in Cases of urgent Necessity, with the Consent of the Directors.

XXXV. The Officers and Marines shall not, under any Pretence whatsoever, put on board or carry with them any Goods, Merchandizes, or Silver, to be employ'd only on their own Account, upon Pain of forfeiting the same.

XXXVI. The Company may make Ordinances for the Good of their Trade, which shall be approved by the King.

XXXVII. The Company may build as many Warehouses as they shall have Occasion for, which shall enjoy the same Franchises as the Royal Warehouses of the *Caracca's*.

XXXVIII. The Effects belonging to the Company shall not be seized under any Pretence whatsoever, that the Course of their Trade may not be interrupted.

XXXIX.

XXXIX. If, after the Return of the first Ships, the Company shall be of Opinion, that this Trade cannot be useful or advantageous, either to the Publick or to Private Persons, they shall not be obliged to continue it.

XL. The King gives his Royal Word, that during the Term of this Charter, he will observe all and every Article therein contain'd, and even defend them with his Arms in Case of Need, against any Nation which may oppose the same.

XLI. As this Commerce is to be carry'd on, not to the *Indies* only, the Administrators or Farmers of any of the Revenues, be they what they will, shall not concern themselves with any Affair relating thereto; and the said Administrators are hereby forbid to take any Cognizance of the Goods or Effects which the Company shall bring from the *Indies*; so that they shall not demand any other Duty or Imposit, but what is specify'd in this Charter.

XLII. This Grant shall be register'd in the Council of *Castile*, and in those of the *Indies* and *Finances*; to the End that the necessary Orders for its Execution may be sent to the respective Offices and Places within their Jurisdiction.

A List of the Duties which are to be paid to the Royal Finances at Cadix, as well for the Loading which the Ships of this Company shall carry to the Philippine Islands, as for the Loading which they shall bring hither from those East-India Countries, formed according to the Royal Project of the 5th of April 1720, concerning the Equipement of the Flota's, Galleons, and Register Ships for America, &c.

For all Bale Goods, which shall be shipp'd, having first been lawfully register'd, shall be paid after the Rate of 5. 1 half *Reals de Plata* for each cubical Palm, or Span Square, of the Bulk of each Bale, Pack, Bag, Chest, or Cask of Merchandizes, in the same Manner as is expressed in the Royal Project.

For all other promiscuous Goods, there shall likewise be paid into the Royal Finances, the utmost Duties specified in the said Project, according to their Bulk or Weight.

For the *Peso's de Plata* coined in the *Indies*, which shall be carry'd over, One per Cent. shall be paid as the Duty of Exportation.

Duties

Duties to be paid at Cadiz for the Gold and Merchandises which shall be brought from the Philippine Islands.

For Gold in Ingots, or wrought, the same Duties shall be paid, according to the Ordinances, as are paid in Spain, for the register'd Gold brought over by the Flota's and Galeons, pursuant to the Royal project above mention'd.

For fine Spices, after the Rate of 8 Pefo's *ad valorem*, in the following Proportion, *viz.*

Cinnamon, 100 Pefo's *excudos per Quintal.*

Cloves, 100 Pefo's of the same Coin *per Quintal.*

Pepper, 25 Pefo's *per Quintal.*

Nutmegs, 150 Pefo's *per Quintal.*

Cacao, according to the List thereof, subsisting in this Kingdom.

For all other Goods herein after mention'd, 5 Pefo's shall be paid *ad valorem*, in the following Proportion, *viz.*

Brass and Copper, eight Pefo's *per Quintal.*

Raw Silk in Proportion, at four Pefo's *excudos per l.*

Thrown Silk of all Colours, 4 1 half Pefo's *per l.*

Brocades with Gold Flowers, 17 Pefo's of eight *Reals de Plata*, old Coin, *per Piece.*

Damasks black and colour'd, 13 Pefo's *per Piece.*

Flower'd Sattins, 15 Pefo's *per Piece.*

Plain *ditto*, 13 Pefo's *per Piece.*

Georgeanes, 13 Pefo's *per Piece.*

Pecquees, eight Pefo's *per Piece.*

Taffeta's double and single, 8 1 half Pefo's *per Piece.*

Soofey's, four Pefo's *per Piece.*

Figur'd Linnen, 5 1 half Pefo's *per l.*

Plain *ditto*, 4 1 half Pefo's *per l.*

Silk Stockings, 2 Pefo's *per Pair.*

China Basons, Cups and Sawcers, 3 Pefo's *per Dozen*, and the other Pieces in Proportion to their greater or lesser Value.

Bohea and Green Tea, one with another, 7 *Reals de Plata provincial per l.*

Coffee, three *Reals de Plata per l.*

Callicoes, three *Reals per Ell.*

We must here take Notice, that at the End of the 5th Article of the Treaty of Peace made at *Munster* in the Year 1648, between the King of Spain and the States-General,

General, there is the following remarkable Clause, *viz.*
 'Moreover it is stipulated and agreed, that the *Spaniards* shall confine their Navigation in the *East-Indies* in such a Manner as it is at present possessed by them, without having it in their Power to extend the same any further; as also the Inhabitants of the *Netherlands* shall abstain from frequenting those Places which belong to the *Castilians* in the *East-Indies*.

This is the Clause which furnished the States-General with a Right to oppose the *East-India* Company erected by a Charter from the Emperor at *Ostend*; and may furnish them with a more undoubted Right to oppose any Company erected in *Spain* for carrying on or enlarging their Trade to the *East-Indies*. As the *Dutch* are by the said Clause possessed of a Right to prevent the *Spaniards* from extending their Trade in the *East Indies* further than it was at that Time, they certainly have a Right to oppose the erecting of any Company in *Spain* for trading to the *East-Indies*, because at the Time of that Treaty, there was no such Company in *Spain*. But it is probable, that we may have Occasion to mention this Subject again, and therefore we shall at present say no more of it

In the *Hist. Reg.* N^o LXVIII. we gave an Account of the Descent of the *Spaniards* in *Africa*; of the taking of *Oran* and *Mazalquivir*, and of the Return of their Fleet to *Spain*, after having left strong Garrisons in those two Places, under the Command of the Marquis de *Santa Cruz*, who was made Governor. The *Spaniards* had not continued there long, before *Bigotillos*, the *Moorish* Governor, who had abandoned those Places so hastily, to recover his Honour brought an Army before them, and began to attack the Fortress or Castle of *Santa Cruz*, [*vid.* the above Register, at the End.] The Place being advantageously situated, and well defended, he made however no great Progress, tho' he followed it with a very vigorous Application. The Particulars of the whole Siege have not been made publick in any authentick Manner; but the following Account of what happened during some Part of it, being very exact, and what we are assured may be relied on as true, we believe it will very properly be inserted.

It was near a Month that *Bigotillos* had laid Siege to *Oran*, having erected a Battery high up upon the Mountain *Mazeta*, the Point of which lay to the Southward,

ward, a Musquet Shot off *Santa Cruz*, but separated from it by a Neck or Passage very deep and steep towards the Mountain. This Passage leads to the *Baranco* of the *Madre Vieja*, a hollow Valley full of Rocks, the two Sides of which were difficult enough to mount, the South Side, possessed by the Enemy, terminated in a pretty high Hill, called *Palmarejo*, which runs from the Foot of *La Mazeta* by an easy Descent, 'till it comes opposite to the *Alcaguar* of *Oran*.

Bigotillos, whose Battery was rais'd so high as not to be expos'd to the Insults of the Artillery of *Oran*, or any of its Works, and also cover'd from *Santa Cruz*, by the Point of a Rock, had already made a Breach in the Wall of that Fortrefs; but the mounting of it was in a manner impracticable, because of the Steepness of the Rocks, and being likewise expos'd to a perpetual Fire from the Garrison: However, he sprung here two Mines unprofitably, having no other Effect than rendering the Wall more steep, by moving and throwing down the exterior Side of it, without penetrating the Rock in the least, on which the Work was rais'd. The Fire and the Attacks were incessant Night and Day, and *Bigotillos* made Attempts by his *Moors* altogether impracticable, hardy, and to the last Degree ridiculous.— He ordered Men to scale a Place where certain Death attended them; thus a great Number of those miserable Wretches perished by the Fires of Bombs, Grenades, Artillery and Muskets, in attempting to climb up to an inaccessible Breach; besides, many of them were destroyed by their own Mines, by the Effect of our Countermines which we work'd underneath them. So much did it run in poor *Bigotillos*'s Head, the retaking *Oran*, after he had so shamefully abandoned it to the Christians.

This Bey bears all the Expence of the Siege, in paying 10,000 *Turks*; as to the *Moors*, whom he tyrannizes over, he obliges them to maintain themselves, and forces them every Moment upon impossible Enterprises, in which the least Disobedience of his own Orders, or those of the meanest of the *Turks*, is punish'd with present Death, by striking off their Heads upon the Spot; but as much Slaves as these Creatures are to him, he himself is no less subject to the Will of the Son of the Bey of *Algier*, to whose Caprice he sacrifices many of the unhappy *Moors* every Day. *Bigotillos* knows that the surest and the only Way, perhaps, of

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taking

taking *Oran*, is first to make himself Master of *Santa Cruz*, and if his Slaves are hardy enough to attempt it, it is not out of Bravery but Despair.

The Garrison of *Santa Cruz*, which hitherto despis'd the utmost Efforts of those People, began to be in want of Necessaries, their Ammunition was spent, and their Provision exhausted. The Castle contained at first but 100 Men; but these were augmented the Day the Siege began, though it was not then expected; and now they found themselves reduced to such Extremities, that without a Supply, and that speedily, they must either perish or surrender.

The Marquis *De Santa Cruz*, was resolved to hazard all for their Relief, for indeed all depended upon it; and therefore a Detachment of 1300 Men was drawn out, commanded by the Chevalier *Wogan*. Before this Detachment began their March, the Governor made a false Attack from the Castle of *St. Philip*, upon the *Turkish* General's Battery, on the Right of the Enemies Trenches; this Fire from a Multitude of Cannon, Mortars, &c. made a thundering Noise, and was done with design to draw *Bigotillas's* Troops from their Post, on the Left, upon the Mountain of *Mazeta*, and out of the Grand *Barranco*, or hollow Valley, before spoken of, on the Side of which the Detachment was to form in Battalia, to cover the Convoy in their Passage to *Santa Cruz*.

On the 4th of *October*, a good Half Hour before Day break, the Chevalier *Wogan*, after having receiv'd his Orders from the General, the Marquis *De Santa Cruz*, marched out of the Gate *de Canastel* at the Head of his Detachment compos'd of several Companies of Grenadiers and Piquets to cover the Convoy of Provisions and Ammunition, and also a Body of Horse charged with Fascines, and all for the aforesaid Castle, which commands not only the Town, but the Forts without, and the Sea likewise.

The Colonel Commandant ordered four Companies to advance half Way up the Hill, between the Castle of *San Gregorio* and that of *Santa Cruz*, where he formed them in different Columns, their Head to the Valley, to stop those who should undertake to cut off the Convoy on the Height. He detached two other Companies to the Bottom of the Rock, at the Foot of *Santa Cruz*, towards the Head of the *Barranco*, or Valley, to the end that in case the Enemy should pass over the said Rock, they

they might be expos'd to three several Fires, that is to say, from the Body of the Detachment, from the Garrison of *Santa Cruz*, and from the said Companies drawn up in Columns. He march'd afterwards in Battalia with the Body of his Detachment, the Front of which filled up the Extent of the Plain, to the Border of the *Barranco*.

As soon as he had formed three deep on the said Border, he made a general Fire in the *Barranco*, where commonly a Number of *Turks* and *Moors* lie concealed every Night as far as the Point of *Alcagavar*, in order to snatch some Opportunity of striking a Blow, or to get Intelligence from some straggling *Moors* of the Country. This Fire was at the first Dawn of the Morning, and as the Commandant had made a silent March, the Infidels were thrown into the utmost Consternation; they ran on all Sides like Men distracted; never Flight was more precipitate, and the Fire continuing without ceasing, those who durst not gain the Height of *Palmarejo*, hid themselves behind Bushes, Briars and Rocks, that they might steal off, and fire upon the *Spaniards* from under some Cover.

At the rising of the Sun, the Head of the Convoy was advanced as far as *Santa Cruz*; and the four Companies that the Commandant had posted between *San Gregorio* and that Fortress having joined the Detachment on the Top of the Rock which commands the Valley, some other Companies of the Garrison of *Santa Cruz* came out to reinforce us, and posted themselves under the Wall of this Castle, at the Spur of the half Bastion, which is of such an Elevation, that it overlooks the *Barranco* or Valley — The continual Fire which was made from the Angle of the said Bastion to that of the *Alcagavar* of *Oran*, cast the Enemy into such a Pannick, that they abandon'd their Standards planted upon the steep Rock behind *Santa Cruz*, insomuch that could the Commandant but have dispensed with his Orders, so positively express'd and repeated to him by his General, who had absolutely forbid him to pass the Border of the *Barranco*, he might in that Momentary Fear, not only have seized their Standards, but perhaps thrown their Battery from the Height down the Precipices; but having no other Thing in View than to cover the March of the Convoy and the Horse, we were obliged to stop there, and run no further Hazard.

But now the Enemy seeing that we had no Intention to pass the *Baranco*, they recovered out of their Fright, and fired upon us from their lurking Places, and from the Height of *Palmerejo*, where they planted other Standards after their Fashion, by way of Defiance, expecting a powerful Reinforcement from the Trenches of the Battery against *St. Philip*, whither the main Body of their Troops had assembled upon the false Attack. The Fire continu'd without Intermision on both Sides; but that of the *Spaniards*, for the Space of an Hour, was much the hotter of the two; a greater Fire, or better follow'd, was hardly ever seen by a Body of 12 or 1300 Men; though it was the Fire of the Artillery, which play'd incessantly upon the Barbarians from all our Fortresses, which carry'd so many off, some being bury'd under great Pieces of the Rocks beat down by the Cannon, which before serv'd them for Shelter. As for the *Spaniards*, they were entirely without Cover, and in close Order, and they having the Advantage of the Height over us, must needs kill a great many Men; but had they been able Marksman, it is believ'd not one in ten of the *Spanish* Troops could have gone alive off the Place.

During this odd Kind of Combat, the Enemy enraged to see our Convoy pass by their Noses securely to *Santa Cruz*, and being largely reinforced, ventur'd down the Hill in great Multitudes, and descended to the Bottom of the Valley by a hollow narrow Way on our Right, which occasion'd our Colonel Commandant to draw out two Companies to the Height towards the Center, where this hollow Way open'd itself on our Side, in order to hinder them from penetrating by that Road; by the Favour of this Pass, both Sides of which were almost bounded by Rocks, a great Fire was made upon them, as also from the Height below *Santa Cruz*. Their Number now, by a modest Calculation, including those who faced us upon the Height of *Palmarejo*, and all the Side of the *Barranco*, where they swarm'd like Bees, as well as in the Defile just mention'd, at least amounted to 15,000 Men; but seeing that the Opening was taken up by our Men, and after suffering some of our Cannoning on the Spot, they thought fit to quit that Post, and alter their Design; whereupon they travers'd the *Barranco*, to the Foot of the great Rock under *Santa Cruz*, and there put up their Standards. Great Numbers cover'd themselves within the Clefts of the Rocks,

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with

with Intention to force their Passage by the Precipices, which they climbed like Goats, because there they found fewer Enemies, and a more accessible Passage to the Valley.

The Colonel Commandant perceiving they had chang'd their Measures, order'd back what remain'd of the two Companies, and sent them with another Reinforcement up the Rock, in order to make that Passage also impracticable to them, and to secure our own Retreat when the Business should be over.

The Fire was incessant on all Sides; the *Spanish* Artillery did great Execution, and the Garrison of *Santa Cruz* rolled down Bombs and Grenadoes Royal directly upon them from the Castle. The *Bey Bigotillos*, in a kind of Revenge, order'd the Cannon of his Battery to be pointed down upon the *Spaniards*; but as it was planted from too great a Height, the Balls pass'd over their Heads, and plunged into the Sea; there was one Shot only that by Chance came near enough, but without any other Effect, than the taking off the Calf of an Officer's Leg, and covering the Colonel Commandant all over with Dust.

Nevertheless, the *Spanish* Troops being entirely uncover'd, suffer'd much, and diminished in Proportion as those of the Enemy increased; the carrying off the Wounded every Moment required so many Men, that the *Spaniards* had not enough to make good their Front to the Extent of the *Barranco*; and because of this Loss, the Fire of the *Spaniards* slackned in the same Measure as that of the Enemy augmented; so that had it not been for the wise Precaution of the Chevalier Governor of *St. Philip*, the *Spaniards* could not have had Men enough to the End of the Combat to have carry'd off their Dead, and assisted the Wounded. The said Governor detach'd in good Time a good Body of Horse and Dragoons, which, with the small Body of Horse, form'd a good Line behind the *Spaniards*. But now Powder began to fail; but this Want was supply'd from Time to Time chiefly by the *Marquess de Turbilly*, Lieutenant Colonel of the Day, who perform'd all manner of Offices, that of Adjutant itself, and from a little Fort on the *Spaniards* Left, furnish'd the Soldiers with the Ammunition, distributing it on his Side, as the Colonel did on the Right.

Towards Nine in the Morning, after the Carts and other Carriages, as well as the Horse, were return'd in Safety;

Safety ; the Horse formed on the Right of a little Fort towards the Sea Side, with Design to support the Infantry in their Retreat, the Colonel Commandant receiv'd a Shot, which obliged him, to his great Regret, to go out of the Battle, having first concerted with his Lieutenant-Colonel the Manner of making the Retreat. In this Case, the *Turks* and *Moors* upon the Rock at the Foot of *Santa Cruz* only were to be fear'd, because of some Dispositions they seemed to be making there, in Opposition to it. Of the six Companies of Grenadiers, which had been ill enough treated, three of them were to return to the Garrison of *Santa Cruz*, and the other three to join the Gros of our Detachment for *Oran*. The Horse, by some unhappy Mistake in the general Orders, were already filed off in the great hollow Way towards *Oran*, and left the Infantry destitute of all Support, of which, two Thirds of the Officers, and half the Soldiers had been kill'd. This false Step was visible to the *Turks* as well as *Christians*, which animated the one, and quite disconcerted the other.

Orders were forthwith given for the Retreat, a Quarter of an Hour after the Colonel retired. These six Companies seeing themselves abandoned, and almost without Officers, lost Ground, and fell into Disorder ; upon which a Body of 300 *Turks* and *Moors* fell in upon them with Sabre in Hand. The three Companies who were making their Way to *Santa Cruz*, though with a little too much Precipitation, found themselves supported by the Garrison of that Place, who fired warmly upon the Enemy as they advanced, whereby many of them approaching the Castle, met their Fate near the very Wall. In Revenge of this, they struck off three or four of the Heads of the wounded *Spaniards* that dropped in their Way, and carried them after the broken Remains of three other Companies, who marching too confusedly towards *San Gregorio* to get Shelter under the little Fort upon the Sea-side, whither the *Marquis de Turbilly* had brought the rest of the Detachment, found their Way cut off by the *Turks* : Surprise so seized them thereupon, that instead of putting themselves in Battalia, with their Bayonets at the End of their Musquets, they ran directly towards the Sea, and the *Turks* pursued them with such Fury, that a Captain (the only Officer that remained alive of all the three Captains) casting himself as a lost Man, with six of his Grenadiers, off a frightful Precipice ;
sight

eight or ten of the *Turks*, out of a blind Rage to overtake them, followed after in the same Manner, and perished with them.

The Marquis of *Santa Cruz* observed all that pass'd from the Height of *Alcaçavar* with great Dissatisfaction, and made Signs with his Hat for some Horse to fall upon those insolent *Barbarians*; but they being in a Bottom, behind the Wall of the Town, the Officers either did not comprehend, or did not perceive those dumb Orders, and therefore rested where they were, without moving towards them: But one Capt. *Willz*, of the Regiment of *Belgia* Dragoons, seeing the Enemy scour the Plain with Impunity, putting on a Soldierly Air, advanced with 30 of his Men, and fought stoutly 'till he lost half his Troop, having destroyed double the Number of the Enemy, three of which he killed with his own Hand, and afterwards came off in good Order with the rest of his Men.

After this little Exploit, the *Turks*, seeing the Ram-parts of the Town, and the little Fort well lined with Fusileers, and the Horse posted in the Way between them leading to *Oran*, thought fit to retire after their own disorderly Manner, the *Spanish* Horse in the Bottom making no Motion to follow them. They gained the Rock, by which they mounted, but in descending the Side towards *Santa Cruz*, they could not help exposing themselves to the Fire of the whole Musketry of that Castle. They began immediately that sorrowful Occupation of carrying off and burying their dead, which took them up 24 Hours, all the *Palmarejo*, the Head of *Barranco*, and all under the Rock of *Santa Cruz* being strewed with the Carcasses of the Enemy.

By the Judgment of those who were Eye-witnesses of the whole Action, *Bigotillos* could not lose less than 2000 Men, among whom (as was told by three *Turkish* Deserters) were 19 Agas of Janissaries, and one of *Bigotillo's* Sons, but whether this last was killed or wounded, they could not say positively, though the Difference is not much, for as they have not any Hospital or Surgeon, if the Wounded be not presently cured by Fire, or Application of certain Herbs, they have always the Charity to put the Patient out of Pain, by what we call the *Coup de Grace*.

This Day would have been more glorious in all Respects, could they have guarded against that little unlucky Accident that fell out to the three Companies in
their

their Retreat. Nevertheless they gained the Fruits of a compleat Victory. — *Santa Cruz* was abundantly supplied with all Necessaries; their Communication with the Sea secur'd, and a considerable Blow given the Enemy. And though the Number of their Dead and Wounded amounted to 544 Men, they notwithstanding comforted themselves, in Regard that it proved an Enterprize which put their Troops in Security, preserv'd their Conquests, and did Honour to his Majesty's Arms.

Throughout the Course of this Action, we must do Justice to the Bravery and Constancy of the *Spanish* Troops, the Soldier and the Officer animated by the same Impulse, stood firm for several Hours, expos'd to a continual Fire, without the least Shelter, whilst the Enemy shifted and straggled about under Rocks and Covers to avoid the Fire of the *Spaniards*, who would much rather have charged a Battery of Cannon in hopes of making themselves Masters of it, than stand immoveable a whole Morning to wait and endure the Vigour of a powerful Enemy; yet did not one of their Men recoil a Step during so long an Action, except to carry off dead or wounded Men out of the Shot of the Enemy; after which, he instantly return'd and join'd his Company, where he could not expect much better Treatment than what his unfortunate Comrade had just receiv'd.

This Constancy and Resolution of the Christians and the Loss the Barbarians suffer'd, cast them into such a Consternation, that notwithstanding the Line cast up behind their Camp, to hinder their Desertion, the *Moorish* Horse entirely abandon'd them, and the *Mosarabes* and *Moorish* Infantry stole away every Day from *Bigatillo*, who never fail'd to reward them suitable to his Tyranny and Cowardice.

Among the Dead and Wounded we reckon 17 Captains, 11 Lieutenants, 16 Sub-Lieutenants, and the Colonel was one of the latter. It seems this was the same Person that projected and executed the Escape of the Princess *Sobieski*, on the 28th of *April* 1719, from her Arrest at *Inspruck*.

On the 16th, two Christian Slaves escaped into the Town from the *Moorish* Camp; they were conducted directly to the Governor, to whom they gave an Account of the State of the Infidels, viz. that the Camp was compos'd but of about 6000 Men, including in that
Number

Number 1000 Blacks and 700 Horse, which the *Moors* drew in by Force to the Siege of the Place ; that they had only two Pieces of Cannon, but 24 more were expected, with a great Body of chosen Troops, and Provision in abundance ; that as soon as this Reinforcement should arrive, the *Moors* made Account to lock up the Place, and attack it vigorously under the Command of *Ali Basha*, and by the Direction of the *Runagate Ripenda*, who keeps himself yet at *Tetuan*, where he lies afflicted with the Gout, and given over to all the fatal Errors, into which his detestable Ambition has thrown him.

As this Relation was conformable to the Advices received by different Ways, there was little to be doubted of the Truth of it ; the Governor therefore judg'd it proper to assemble a Council of War, compos'd of all the principal Officers and other Chiefs of the Troops of the Garrison. The Governor order'd all the Accounts to be read to them, and propos'd the Design which he had already form'd of making a Salley upon them, before all their Forces had join'd them. This Proposition was generally approv'd, Don *Joseph Vicaria*, Major General, who happened to be then at *Ceuta*, to make a Review of the Garrison, as Inspector, was also of the same Opinion. In short, it was resolv'd in this Council, that the next Morning at break of Day, a vigorous Salley should be made upon the Besiegers.

The Attack was to be in five different Places of the Camp, regulated after this Manner ; four of them to be assailed, each with three Companies of Grenadiers and six Piquets, supported by three Battalions, which made twelve in all. The fifth Place to be on the Side towards the Sea, by 70 Horse and 100 Grenadiers, under the Direction of the Brigadier *Marques de Valdecagnas*. The other Detachments were commanded by so many Colonels, viz. Colonel *Mahoni*, Son to the famous Lieutenant-General of that Name, an *Irish* Gentleman, Don *Joseph Masones*, Don *Jean Pingarron*, and Don *Basile de Gante*, and all of them under the Command of Brigadier Don *Joseph Aramburo*, Captain of the *Spanish* Guards, an excellent Officer, the King's Lieutenant in the Town.

Orders were given for all those appointed for this Expedition, which together made a Body of 5000 Men (without counting 500 Pioneers) to be ready on the *Esplanade* by Four in the Morning, and after forming,

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each

each Detachment to post themselves on the Side of the Salley Port, at which they were to go out. Each Soldier was to be furnish'd with 25 Charges, and 12 Mules were to follow them, loaded with Ammunition; that Hand-Barrows should be distributed to a certain Number of Men, to bring off the Wounded; that the Surgeons and Chaplains should be in the Train of the Detachments, to assist them; that an exact Silence, and an entire Subordination should be observed throughout; that all the Prisoners, and those banish'd from *Spain* to this Fortress should march after the Troops with Pioneers Utensils and Tools, and mostly with Shovels and Pick-axes, to destroy the Enemies Works; that the rest of the Garrison should be posted upon the Wall, and about the Parapets of the Place of Arms, and that all the Artillery should be in good Order; that after having beat off the *Moors*, the Troops of the Attack should range themselves in two Lines, the first joining the Grenadiers and Piquets, to have their Right towards the Bridge *de Revero*, and the Left towards the Height of *la vigne*, and the second to post themselves before the Trenches, with the Pioneers behind them, to fill up the Retrenchments.

These Orders were observed so exactly, as if every Soldier had been an Officer. The March being begun in the above Manner, the *Moors* found themselves exposed to the Slaughter before they were prepared, they fell on every Side, yet seeking at last a Resource in Despair, seeing themselves thus surprized, resolved to defend their Intrenchments. They fought with the utmost Fury, and great Havock was made among them before they abandon'd their Posts.

The greater the Resistance, the more eager were the *Spaniards* to obtain a speedy Victory; animated with this noble Ardour, they overthrew, trampled under, and cut in Pieces, all who could not, or would not fly; so advantageous an Onset made the *Spanish* Chiefs reflect, that they ought not to give a Check to the Courage of the Troops, so as to contain them within Bounds of their first Orders; in short, they suffer'd them to pursue the frightened flying *Moors* to the Seraglio, half a League distance, where the General lay with a Body of Horse and Foot, which made some Stand, but not long enough for the *Basha* to put on his Breeches; in short, he rose in his Shirt, was confounded among his Infantry, which being put into Disorder, intirely dispersed,

perfed, fome taking the Road to *Tetuan*, and fome to *Tangier*, not without a great Part of them falling a Sacrifice to the *Spaniards*, without any Defence at all.

The Cavalry composed of chosen Men, disputed the Victory with Obstinacy enough, and held out long, with a Firmness that did but augment their Ruin. They saw themselves exposed to the Fire of their Enemy, and yielded to their own Destruction with a Stubbornness that differ'd little from Rage.

By this Time some of the Troops first routed, rallied upon the Hills; these return'd to the Charge two several Times; they descended to the Foot of the *Seraglio*, but were repulsed as before, tho' by the Favour of the Mountains they kept skirmishing for several Hours, whilst the Pioneers fill'd up the Intrenchments, and demolish'd the Works.

The two Cannon which the Christian Slaves spoke of were 36 Pounders, which they nail'd up, and threw into a deep Ditch, together with a Mortar-piece, it not being possible to conduct them to the Place for Want of Mules and necessary Tackling. The Alcalde *Alli Sacas*, a Renegade, was mortally wounded, and his House pillaged and burnt by the Soldiers. The Camp was also abandon'd to their Discretion. The Powder of the Infidels was set on Fire, with a great Quantity of Cross-bows, besides several Sorts of Instruments, with which they broke Ground, and work'd in their Camp. In fine; they took away their Provision, razed their Works, burnt their Barracks, and fill'd up their Wells of fresh Water. Thus having executed every Thing with admirable Dispatch, a Retreat was beat.

The Soldiers brought along with them four Colours, one of which belong'd to the Basha, call'd the Royal Ensign, having thereon Arabian Characters embroider'd in Gold; the three others were of Damask, and all different Colours. They brought also to *Ceuta* many Slaves a great deal of rich Spoils, Arms with Silver Garniture, Horses, magnificent Equipages, Tapestry Turbans, fine Belts, and some silver Money. The banish'd People, and those imprison'd in the Fortress of *Ceuta*, brought in a prodigious Quantity of Cattle and Provisions left in the open Country, amongst the dead Carcasses of the Infidels.

The Retreat was made without the least Confusion; the Troops preserving their Ranks, and always keeping up a skilful Fire upon the Enemies as they march'd,

a small Number of them following at a Distance, to no other Purpose but to be Witnesses of the good Order and Regulation with which this Detachment re-enter'd the Town; perhaps, overjoy'd enough, they did not push their Victory as far as *Tetuan*, which they had but too good a Reason at first to fear.

The *Spaniards* lost in this Expedition but one Subaltern Officer, three Serjeants, and 14 Soldiers, besides which, there were wounded seven Captains, six Subaltern Officers, eight Serjeants, and 150 Soldiers, many of whom were hurt by the blowing up of a Magazine of Powder at the Time they were plundering. Whilst the Garrison was making this Salley, some Ships seconded the Attack from the Sea, whose Fire contributed to put the *Moors* in that Consternation.

The Count *D'Aranda* was in this Action as a Volunteer, and distinguish'd himself by his Valour in a Manner that gave Occasion to the Governor to speak of him with great Elogiums. He did the same Justice to all the Officers, both Generals and Subalterns, but particularly Count *Mahoni*, who reaped no little Glory by that Day's Action; in short, the Troops in general behaved with such Bravery, that it would be some sort of Partiality, to give the Preference or Praise to any in particular.

The Count *de Welderen*, a Danish Colonel, who came out of meer Curiosity to see the Fortress of *Ceuta*, found Occasion to signalize his Courage. This Officer on his Part, gave all the Praise to the *Spaniards* that they merited in this Rencounter.

The *Moors* renewing the Siege of *Oran*, the Marquess *de Santa Cruz* made a second Sally, Nov. 21. in which the *Spaniards* were so successful, that they utterly routed the *Moors*, levelled all their Works, possessed themselves of their Camp, and set it on Fire, having first conveyed every Thing of Value into the Town. But the Victory was attended by a Misfortune that happen'd to the Marquess *de Santa Cruz*; who being engaged too far, was wounded, and made Prisoner, and we have since had no positive Account what is become of him. Shortly after, the *Moors* made a third Attempt, but were defeated again, and driven away with considerable Loss.

G R E A T

G R E A T B R I T A I N .

AS the general Way of Thinking now reigning among the Publick, lies very much towards our Commerce, we believe the two following Representations laid before the Parliament last Sessions, will be acceptable to our Readers, as they come from the Board of Commissioners for Trade and Plantations, who may be supposed to be the best informed of every Thing relating to that important Subject; and as they have been the Foundation of two Laws made this Session; the first of which relates to our Plantations, the second to our Woollen Trade,

The first REPRESENTATION.

To the Honourable the Commons of Great Britain in Parliament assembled.

HIS Majesty having been pleased, upon the Address of this Honourable House, (by his Order, bearing Date the 9th Day of June last) to direct the Commissioners for Trade and Plantations, to prepare a Representation to be laid before the House this Session of Parliament, of the State of his Majesty's Colonies and Plantations in *America*, with respect to any Laws made, Manufactures set up, and Trade carry'd on there, which may affect the Trade, Navigation, and Manufactures of this Kingdom.

We did forthwith send Circular Letters to all the Governors of the *British Colonies in America*, directing them to transmit an exact and particular Account of the Matters mention'd in the said Order, that we might be the better enabled to make a punctual and authentick Return upon proper Vouchers to the House.

But by the Address upon this Subject, (which was moved very late the last Session of Parliament) having been again repeated the 15th of last Month, we thought it our Duty to inform the House of the true State of this Matter, and to take their Sense in what Manner the Board should conduct themselves upon this Occasion, *viz.* Whether the House would accept of such Report as we are able to make from the Books and Papers in our Office,

rice, or wait the Returns from the Governors of the *British Colonies in America*.

And it seeming to be the Sense of this House, that the Board should make such a Report as they were then able to draw up from the Books and Papers in their Office; we have accordingly done so, having since that Time received Returns from *Maryland, New York, New England, South Carolina, Rhode Island, and Jamaica*, whereupon we humbly represent:

That it being required to lay before this House a State of his Majesty's Colonies in *America*, with Respect to any Laws made, Manufactures set up, or Trade carried on there, detrimental to the Trade, Navigation, or Manufactures of *Great Britain*; we shall begin with what regards the Laws, and premise some Particulars relating to the Constitution of the several Colonies, and to the Powers vested in them for passing of Laws.

Many of the *British Colonies in America* are immediately under the Government of the Crown, namely, *Nova Scotia, New Hampshire, the Jerseys, New York, Virginia, the two Carolina's, Bermuda, Bahama Islands, Jamaica, Barbadoes, and the Leeward Islands*; others are vested in Proprietors, as *Pensilvania, Maryland*, and not long since the *Bahama's*, and the two *Carolina's* also: There are likewise three Charter Governments; the chief of these is the *Masachussets Bay*, commonly called *New England*; the Constitution whereof is of a mixed Nature; where the Power seems to be divided between the King and People, but in which the People have much the greater Share; for here the People do not only chuse the Assembly, but the Assembly chuse the Council also, and the Governor depends upon the Assembly for his annual Support, which has so frequently laid the Governor of this Province under Temptations of giving up the Prerogative of the Crown, and the Interest of *Great Britain*.

The remaining Provinces, *Connecticut, and Rhode Island*, are Charter Governments also, or rather Corporations, where almost the whole Power of the Crown is delegated to the People; for they chuse their Assembly, their Council and their Governor likewise annually, and hold little or no Correspondence with our Office.

All these Colonies however, by their several Constitutions, have Power of making Laws for their better Government and Support, provided they be not repugnant

nant to the Laws of Great Britain, nor detrimental to their Mother Country.

In the *Massachusetts Bay* also, if their Laws are not repealed within three Years after they have been presented to his Majesty, they are not repealable by the Crown after that Time.

The Provinces of *Maryland*, *Connecticut*, and *Rhode Island* not being under any Obligation by their respective Constitutions to return authentick Copies of their Laws to the Crown for Approbation or Disallowance, or to give any Account of their Proceedings, we are very little informed what is doing in any of these Governments.

All the Governors of Colonies (which are under Appointment) ought within a reasonable Time to transmit home authentick Copies of the several Acts by them passed, to go through a proper Examination, but are sometimes negligent in their Duty in this particular, and pass Temporary Laws of short Continuance, that they have their full Effect before this Board can acquire due Notice of them: Some Attempts have been made to prevent this pernicious Practice, and many Laws have from Time to Time been repealed on that Account.

And from the constant Discharge of our Duty herein, it has so happened, that upon the most diligent Enquiry into all the Acts passed in the several *British Colonies* since the Accession of his late Majesty to the Throne, there are none that have yet come to our Knowledge, still remaining unrepealed or unexpired, which are liable to Objection, excepting those only in the following List, and even against them no Complaint has been made to this Board until very lately, viz.

In Massachusetts Bay.

An Act passed in the Year 1728, entitled, *An Act for the Encouragement of making Paper.*

This Manufacture has hitherto made but a very small Progress, and can hardly be said, in a strict Sense, to interfere with our own Paper, because almost all the Paper sent to *New England* from hence is foreign Manufacture; but it certainly interferes with the Profit made by the *British Merchant* upon foreign Paper sent to this Province; however no Complaints have ever been made to us against this Law.

By the Return to our Circular Letter from the Governor of *New Hampshire*, we are informed, that an Act
passed

passed many Years since in that Province for encouraging of Iron Works, by which the Exportation of Iron Oar is prohibited, but upon the most diligent Enquiry no such Act is to be found in our Office ; and we believe none such was ever transmitted to this Board ; however, not knowing whether this Act might not have passed since the late King's Accession, we have inserted in this List.

In New York.

A Law passed in the Year 1728, entitled, *An Act to repeal some Parts, and to continue and enforce other Parts of the Act therein mentioned, and for granting several Duties to his Majesty for supporting his Government in the Colony of New York, from the first of September, which will be in the Year 1733 ; wherein (among other Duties) one was laid of five Ounces of Plate, or forty Shillings in Bills of Credit on every Negro imported from Africa, and a Duty of four Pounds on every Negro imported from any other Place.*

The Plantations in all Times past have laid Duties upon the Importation of Negroes ; and as the Merchants have naturally increased their Price in Proportion to those Duties, so it is but lately that Complaints have been made against these Duties (unless they went to Excess ;) but the Board are of Opinion, that it would be more for the Convenience of the Trade, that these Duties should for the future be paid by the Purchaser, than by the Importer ; and his Majesty has (upon our Representation) been pleased to send an Instruction to that Effect to all the Governors in *America*.

By the Charter of *Pensilvania* it has already been observed, that the Proprietor is obliged to offer the Laws of the Province to the Crown for Approbation or Disallowance within five Years after they are passed ; and if his Majesty does not think fit to repeal them in six Months from the Time they are so offered, it is not in the Power of the Crown to repeal them afterwards ; but since the Year 1713, this Article of the Charter has been evaded, and the Laws of this Province have not been transmitted to this Board (except occasionally an Act or two) so that we are not enabled to lay a State of the Laws of this Province before the House.

That upon a late Petition to his Majesty from the Merchants of *London*, in Behalf of themselves and others, complaining that as the Law now stands in some of the Colonies, his Subjects residing in *Great Britain* are left without

without any Remedy for the Recovery of their just Debts, or have such only as is very partial and precarious, as also that in several of the said Colonies and Plantations greater and higher Duties and Impositions are laid on the Ships and Goods belonging to his Subjects in *Great Britain*, than on the Goods and Ships of Persons inhabiting the said Colonies and Plantations.

The said Merchants being desired to acquaint the Board, whether they knew of any particular Laws in the Colonies against which they had Reason to object; they did deliver to us a List of Laws, wherein the said Colonies appear to have been very partial in their own Favour; in some of them exempting their Persons from Arrests, in others, giving a Preference to the Inhabitants before the *British* Merchants in the Recovery of Debts; and enacting Duties, where a less Burthen is laid upon their own Effects, than upon those of the *British* Merchant.

We beg Leave to acquaint this House, that pursuant to an Order of the Committee of Council, this Board did on the Fifth of *December*, 1728, make a very particular Enquiry into the State of the Plantations at that Time with respect to Silk, Linnen and Woollen Manufactures established there, and having then discoursed with many Persons who had either been Governors of some of the Colonies, or were by other Means well acquainted with their Circumstances, it appeared to this Board, and we did accordingly represent,

That in the Colonies of *New-England*, *New-York*, *Connecticut*, *Rhode-Island*, *Pensylvania*, and in the County of *Somerset* in *Maryland*, the People had fallen into the Manufacture of Woollen and Linnen Cloth for the Use of their own Families, but we could not learn they had ever manufactured any for Sale in those Colonies, except in a small *Indian* Town in *Pensylvania*, where some *Palatines* had then lately settled.

The Reasons why these People had begun this Manufacture were,

1st, That the Product of these Colonies being chiefly Stock and Grain, the Estates of the Inhabitants depended wholly upon Farming, and as this could not be carried on without a certain Quantity of Sheep, their Wool would be entirely lost, were not their Servants employed at leisure Times of the Year, but chiefly during

the Winter, in manufacturing it for the Use of their Families.

2dly, That Flax and Hemp being likewise easily raised, the Inhabitants manufactured them into a course Sort of Cloth Bags, Traces and Halters for their Horses, which they found did more Service than those they had from any Part of *Europe*.

3dly, That these Settlements, which were distant from Water Carriage, and remotely situated in the Woods, had no Opportunities of a Market for Grain, and therefore as they did not raise more Corn than was sufficient for their own Use, they had the more Time to manufacture both Wool and Flax for the Service of their Families, and seemed to be under a greater Necessity of doing it.

Upon a further Enquiry into this Matter, we do not find, that those People had the same Temptation to go on with those Manufactures during the Time that the Bounty upon Naval Stores subsisted, having then Encouragement to employ their leisure Hours in another Way, and more profitably both to themselves and this Kingdom; for the height of Wages, and great Price of Labour in general in *America*, made it impracticable for the People there to manufacture their Linnen Cloth at less than 20 *per Cent.* more than the Rate in *England*, or Woollen Cloth at less than 50 *per Cent.* dearer than that which is exported from hence for Sale: We conceive it was to be wished that some Expedient might be fallen upon to divert their Thoughts from Undertakings of this Nature; so much the rather, because those Manufactures, in process of Time, might be carried on in a greater Degree, unless an early Stop were put to their Progress; and the most natural Inducement that we could think of to engage the People in *America* to desist from these Pursuits, was to employ them in Naval Stores: Wherefore we take Leave to renew our repeated Proposals, that a reasonable Encouragement should be given for the making, raising, and manufacturing of Naval Stores of all Kinds in the Plantations, from whence we might be furnished in return for our own Manufactures.

But several Alterations have happened since that Time; and by such Lights as we have been able to acquire, we find the Trades carried, and Manufactures set up there, detrimental to the Trade, Navigation, and Manufacture of *Great Britain*.

The State of the Plantations varying almost every Year more or less in their Trade and Manufactures, as well as in other Particulars; we thought it necessary for his Majesty's Service, and for the Discharge of our Trust from Time to Time, to send certain general Queries to the several Governors in *America*, that we might be the more exactly informed of the Condition of the said Plantations, amongst which there were several that related to their Trade and Manufactures, to which we received the following Returns.

New Hampshire.

Colonel *Shute*, Governor of *New Hampshire*, in his Answer to the same Queries in 1719, said, That there were no settled Manufactures in that Province, and that their Trade principally consisted in Lumber and Fish.

Massachuset's-Bay in New England.

Colonel *Shute* at the same Time, Governor of the *Massachuset's Bay*, informed us, that in some Parts of this Province, the Inhabitants worked up their Wool and Flax, and made an ordinary course Cloth for their own Use, but did not export any. That the greatest Part, both of the Woollen and Linnen Cloathing that was then worn in this Province, was imported from *Great Britain*, and sometimes Linnen from *Ireland*: But considering the excessive Price of Labour in *New England*, the Merchants could afford what was imported cheaper than what was made in that Country.

That there were also a few Hatters set up in the Maritime Towns, and that the greatest Part of the Leather used in that Country, was manufactured amongst themselves.

That there had been for many Years some Iron Works in that Province, which had afforded the People Iron for some of their necessary Occasions; but that the Iron imported from *Great Britain* was esteemed much the best, and wholly used by the Shipping.

That the Iron Works of that Province were not able to supply the 20th Part of what was necessary for the Use of the Country.

New York.

General *Hunter*, formerly Governor of *New York*, in his Answer to the Queries in the Year 1720, informed us, That they had no Manufactures in that Province that deserved mentioning, and that the Trade

consisted chiefly in Furs, Whalebone, Oil, Pitch, Tar, and Provisions.

New Jersey.

General *Hunter*, formerly Governor of this Province, also informs us in his Answer to the same Queries in the Year 1720, That there were in that Province no Manufactures that deserve mentioning, and that their Trade was chiefly in Provisions exported to *New York* and *Pensylvania*.

Pensylvania.

Colonel *Hart*, formerly Governor of *Maryland*, who lived many Years in the Neighbourhood of this Government, in Answer to the like Queries in 1720, relating to this Province, said, That their chief Trade lay in the Exportation of Provisions and Lumber, and that they had no Manufactures established, their Cloathing and Utensils for their Houses being all imported from *Great Britain*.

New Hampshire.

Mr. *Belcher*, Governor of *New Hampshire*, in his Letter dated the fourth of *December* last, informs us That the Woollen Manufacture of that Province was much less than formerly, the Common Lands on which the Sheep used to feed, being now divided into particular Properties, and the People almost wholly clothed with Woollen from *Great Britain*; that the manufacturing of Flax into Linnen (some coarser, some finer) daily increas'd by the great Resort of People from *Ireland* into this Province, who are well skilled in that Business.

And the chief Trade of this Province continued as for many Years past in the Exportation of Naval Stores, Lumber and Fish.

Massachusetts Bay in New England.

Mr. *Belcher*, the present Governor of this Province, in Answer to the same Queries which we sent him in *June* last, informs us,

That there is a Resolve of the Assembly of that Province subsisting, for allowing a Bounty of 20 s. to all Persons, and 10 s. more to *John Powell* the first Undertaker, for every Piece of Duck or Canvas by them made; but he does not give us any Account of the Quantity that has been made.

He

He further says, that there are some other Manufactures carry'd on there; as the making of brown *Hollands* for Women's Wear, which lessens the Importation of *Callicoes*, and some other Sorts of *India Goods* in that Province.

That there are likewise some small Quantities of Cloth made of Linnen and Cotton for ordinary Shirting and Sheeting.

That about three Years ago, a Paper-Mill was set up, which makes to the Value of about 200*l.* Sterling per Annum.

That there are several Forges for making Bar Iron, and some Furnaces for Cast Iron, (or Hollow Ware) and one Slitting Mill, the Undertaker whereof carries on the Manufacture of Nails.

As to the Woollen Manufacture, Mr. Belcher says, the Country People, who used formerly to make most of their Cloathing out of their own Wooll, do not now make a third Part of what they wear, but are mostly clothed with *British* Manufactures.

We are likewise inform'd by some Letters of older Date, from Mr. Belcher, in Answer to our Annual Queries, That there are some few Copper Mines in this Province, but so far distant from Water-Carriage, and the Ore so poor, that it is not worth the digging.

Col. Dunbar, Surveyor-General of his Majesty's Woods, in his Letter of September 15, 1730, takes Notice, that the People of *New-England* have an Advantage over those of *Great Britain*, in the Drawback for all *India* and other Goods exported, which pay a Duty in *Great Britain*, and no Duty is paid upon importing them into the Plantations. He has likewise sent this Board several Samples of Edge Tools made in *New England*, and in his Letter to our Secretary of the 4th of June, 1731, he says, they have six Furnaces, and 19 Forges, for making Iron in *New England*.

He also informs us in his Letter of the 19th of August 1730, That in this Province many Ships are built for the *French* and *Spaniards*, in Return for Rum, Molasses, Wines, and Silks, which they truck there by Conveyance.

These Informations have been in great Measure confirmed by Mr. Jeremiah Dunbar, Deputy-Surveyor of the Woods; and also by Mr. Thomas Coram, a Person of Reputation, who resided many Years in *New-England*. To which they have added, that great Quantities of
Hats

Hats are made in *New-England*, of which the Company of Hatters of *London* have likewise lately complained to us : And Mr. *Jeremiah Dunbar* further says, that great Quantities of Hats made in that Province, are exported to *Spain*, *Portugal*, and our *West-India* Islands, and that they make all Sorts of Iron Work for Shipping ; and that there are several Still-Houses and Sugar-Bakers established in *New England*.

New York.

Mr. *Rip van Dam*, President of the Council of this Province, in his Letter of the 29th of *October* last, informs us, that there are no Manufactures establish'd there, that can affect the Manufactures of *Great Britain*.

And as to the Trade and Navigation of the Province, he acquaints us, there is yearly imported into *New York* a very large Quantity of the Woollen Manufacture of this Kingdom for their Cloathing ; which they should be render'd incapable to pay for, and reduced to the Necessity of making for themselves, if they were prohibited from receiving from the foreign Sugar Colonies the Money, Rum, Sugar, Molasses, Cacao, Indico, Cotton, Wooll, &c. which they at present take in Return for Provisions, Horses, and Lumber, the Produce of that Province and *New Jersey*, of which he affirms the *British* Sugar Colonies do not take off above one Half.

But the Company of Hatters of *London* have since informed us, that Hats are manufactur'd in great Quantities in this Province.

New Jersey.

Mr. *Morris*, who is at present Commander in Chief of this Province also, has made no particular Return for the same.

Pensylvania.

Major *Gordon*, Deputy-Governor of *Pensylvania*, in his Answer received the 24th of the last Month, informs us, That he does not know of any Trade carry'd on in that Province that can be injurious to this Kingdom, and that they do not export any Woollen or Linen Manufactures, all they make (which are of a courser Sort) being for the Use of themselves and Families.

We are further inform'd, that in this Province are built many Brigantines and small Sloops, which they sell to the *West Indies*.

Rhode

Rhode Island.

The Governor of *Rhode Island*, in his Answer to Queries dated the 9th of *November* last, informs us, That there are Iron Mines there, but not a 4th Part Iron enough to serve their own Use; but he takes no Notice of any Sort of Manufacture set up there.

Connecticut.

We have no Return from the Governor of this Province; but we find by some Accounts, that the Produce of this Colony is Timber, Board, all Sorts of *English* Grain, Hemp, Flax, Sheep, Cattle, Swine, Horses, Goats, and Tobacco, of which they export Horses and Lumber to the *West Indies*, and receive in Return, Sugar, Salt, Molasses, and Rum. We likewise find, that their Manufactures are very inconsiderable; the People there being generally employ'd in Tillage, some few in Tanning, Shoe-making, and other Handicrafts; others in Building, Joyners, Taylors, and Smiths Work, without which they could not subsist.

The Sugar Colonies, viz. Jamaica, Leeward Islands, and Barbadoes.

By the last Returns which we have had from those Islands to our circular Queries, we do not find that they have any other Manufactures establish'd, besides those of Sugar, Molasses, Rum, and Indigo of their own Produce; these, with Cotton, Aloes, Piemento, and some other Productions of less Note, are their whole Dependance, which are Commodities no ways interfering with the Manufactures of this Kingdom.

In the Year 1724, Mr. *Worsley*, then Governor of *Barbadoes*, inform'd us, that of Cotton they made Hammocks, a few Stockings and Nets for Horses.

From the foregoing State it is observable, that there are more Trades carry'd on, and Manufactures set up in the Provinces on the Continent of *America* to the Northward of *Virginia*, prejudicial to the Trade and Manufactures of *Great Britain*, particularly in *New England*, than in any other of the *British* Colonies, which is not to be wonder'd at; for their Soil, Climate, and Produce being pretty near the same with ours, they have no Staple Commodities of their own Growth to exchange for our Manufactures, which puts them under greater Necessity, as well as under greater Temptation of providing

viding for themselves at home. To which may be added in the Charter Government, the little Dependance they have upon their Mother Country, and consequently the small Restraints they are under in any Matters detrimental to her Interest.

And therefore we would humbly beg Leave to report, and submit to the Wisdom of this Honourable House, the Substance of what we formerly proposed in our Report on the Silk, Linnen, and Woollen Manufactures herein before recited; namely, Whether it might not be expedient to give these Colonies proper Encouragements for turning their Industry to such Manufactures and Products, as might be of Service to *Great Britain*, and more particularly to the Production of all Kinds of Naval Stores.

All which is humbly submitted.

Whitehall,
Feb. 15, 1731-2.

*P. Dockminique,
T. Pelham,
Edward Aske,
Orlando Bridgman,
James Brudenel,
Arthur Croft,
Martin Bladen.*

THE SECOND REPRESENTATION.

*To the Right Honourable the Lords Spiritual and Temporal
in Parliament assembled.*

May it please your Lordships,

HIS Majesty having been pleased, in Consequence of your Lordships Address of the 6th Day of May last, to direct the Commissioners for Trade and Plantations, to receive all such Proposals as should be laid before them, for preventing the pernicious Practice of running of Wooll from *England* and *Ireland*, and to consider of and to propose proper Methods for preventing the same for the future, to be laid before your Lordships in this Session of Parliament; we did thereupon give publick Notice in the *Gazette* of the 12th of *June* last, that we were ready to receive any Proposals, which should be made to us on this Head, from all Persons whatsoever.

Since

Since the Publication of this Advertisement, which was often repeated in the *Gazette*, and other publick Papers, we have been attended by several Persons, and many Schemes have been transmitted to us from different Parts of this Kingdom, and from *Ireland*; containing various Proposals upon this Subject, some of which are come but very lately to our Hands; and it has been with great Satisfaction that we have observed the Zeal with which so many Persons have applied themselves to consider of proper Methods for putting a Stop to a Practice so very pernicious to the Trading Interest of their Country.

Those who seem to have most maturely considered this Matter, concur in Opinion, that nothing can put so effectual a Stop to this Evil, as the finding out some certain Method of knowing the whole Quantity of Wool that may be in the Kingdom, whether in Warehouses, or on the Sheeps Back, and tracing it through the Hands of the Wool-Stapler, and all the Traders who deal in this Commodity, 'till it shall be finally wrought up by the Manufacturer.

In order to this, it has been proposed, that Warehouses should be erected at the publick Expence in such Counties of *England* and *Ireland*, where considerable Numbers of Sheep may be fed, or where the Woollen Manufacture may be carried on in any great Extent, into which the Wool of the two Kingdoms should be brought within a certain Number of Days after it is shorn, in order to be afterwards transported under proper Regulations from *Ireland* to *England*, and from one County of *England* to another, in Proportion to the Demand that there may be for it among the Manufacturers.

Others have proposed, That general Registers should be established in *England* and *Ireland*, for entring the exact Number of Sheep and Lambs, with the yearly Quantity of Wool shorn from them, or pulled from the Skins, together with the Names of all such as deal in this Commodity.

In Addition to the Proposition for Publick Warehouses, it has been offered by another Hand, That all the Wool produced in this Kingdom should be bought in the King's Name at certain Prices, to be ascertained at a Medium upon the different Growths of Wool, for so many Years past; and that the Produce of the first Year's Growth, and the Value of the Stock in Hand,
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should be paid for, by a small Land-Tax of Three-pence or Six-pence in the Pound, by which Means the Growers would receive ready Money for their Wool, which would be very beneficial both to Landlords and Tenants. But if this should be thought impracticable, it is further proposed by the same Person, that Payment for the Wool may be postponed, till it be sold in Part, or in the Whole, or that the Growers should be left at Liberty to sell it themselves to the Manufacturers, provided they deliver it to the Store-keeper, under proper Regulations.

Many of the Proposers concur in Opinion, That the best Method of preserving an exact Knowledge of the Wool in its Progression, from the first Growers to the Manufacturer, will be to put it under the Inspection of the Officers of Excise, and different Methods have been suggested for putting this Proposal in Execution.

It has been said under the same Head, That all Dealers in Wool may be obliged to enter the Warehouses and Store-rooms, wherein they keep their Commodity, with the Excise Officer of their Division, into which the Officer should have free Admission at any Time, and no Wool should be brought into the Warehouse before Notice be given of it to the Excise Officer, under a certain Penalty.

That every Owner of Sheep shall give Notice when he intends to shear his Flock, that the Officer may be present to take an Account of the Number of Sheep, and Weight of the Wool shorn, and that every Felmonger may be obliged to inform the Officer of that Division of the Weight of the Wool which he shall pull from Skins; and in general, That all Dealers in Wool shall be obliged to give an Account to their Excise Officer of all the Wool in their Possession, that no Wool shall be removed from Warehouses so entered, except by virtue of a Permit from the Excise Officer, to be renewed as often as the Wool shall pass from one Dealer to another, 'till it comes into the Hands of the Manufacturer.

It has been likewise suggested, That the Excise Officer may take a Bond from the first Buyer, whereby he should oblige himself to manufacture the Wool he buys; but if the Purchaser be not a Manufacturer, that then Notice should be given to the Officer of the Division whenever the Wool should be re-fold, either in the Whole or in Part, and fresh Bonds be given by the Buyers, 'till the same shall be finally manufactured; and some

some have thought, that for the better Security of this Matter, the Manufacturer should be obliged to make Oath, that he will manufacture the Wool he buys.

Without Doubt, the keeping Sight of the Wool from the Time it is shorn, 'till it is brought into the Hands of the last Manufacturer, might greatly contribute to the putting a Stop to the Running of Wool : But all the foregoing Proposals will probably be attended with a Multiplicity of Accounts, besides other Difficulties and great Expence : We would therefore humbly offer some other Methods to your Lordships, which seem liable to fewer Difficulties, but may nevertheless be very conducive to the Cure of this Grievance.

With Regard to *Great Britain*, we would propose, That the Act 9 & 10 W. 3. now in Force in *Kent* and *Suffex*, entitled, *An Act for the Explanation and better Execution of former Acts, made against the Transportation of Wool, Fullers Earth, and Scouring Clay*, may be extended to all Parts of the United Kingdom, within ten Miles of the Sea Coasts.

That no Wool be brought or imported from *Ireland* into this Kingdom, or Coast-wise in *England*, except in Vessels registered and appointed solely for that Purpose ; and that all Wool shipped on board any other Vessel, shall be liable to Seizure by the Captains of his Majesty's Ships of War, by the Commanders of the Register-Ships, the Custom-House Officers, and Excise Officers, and by all other Persons duly authorised ; and that Officers be appointed to put the Laws in Execution against the Running of Wool, with ample Encouragement to the Informers easily to be recovered, and proportionable Penalties laid on Offenders.

But as every Thing that may be proposed for the Cure of this Evil in *Great Britain* only, would be far from answering the Design upon the Whole, unless proper Methods should at the same Time be found to prevent the Exportation of Wool, and of Woollen Manufactures from *Ireland* to Foreign Parts : So, many of the same Persons who have considered this Matter, with respect to *Great Britain*, have also extended their Thoughts to *Ireland*..

And some of them have proposed to apply the foregoing Expedient of County Warehouses, General Registers, and the Inspection of the Custom-House Officers, as proper to be put in Practice in *Ireland*, with this

Addition, that certain Staple-Towns should be appointed in that Kingdom for the Reception of Wool grown there.

But we are of Opinion, That the most likely Means, and most attainable for these Purposes, would be absolutely to prohibit the shipping of Wool in *Ireland*, except in Ships and Vessels registered and appointed for that Service only, and no Wool-Licenses should be granted for shipping of Wool aboard any other Vessel.

That the Explanatory Clause contained in an Act, passed in the 11th and 12th of his late Majesty King *William*, entitled, *An Act for continuing several Laws therein mentioned, and for explaining the Act, entitled, An Act to prevent the Exportation of Wool out of the Kingdoms of Ireland and England into Foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of England*, whereby Leave was given to every Mariner or Passenger on Board the Ship, to furnish himself with the Woollen Manufacture of *Ireland*, to the Amount of 40 s. may be repealed: Since it is, highly probable, that under this Pretence the Woollen Manufactures of *Ireland* first found their Way to Foreign Markets in large Quantities.

That the Captains of *English* Men of War and Sloops, as well as the Commanders of the Register-Ships, and all Officers of his Majesty's Customs and Excise, may be invested with full Power and Authority to seize all *Irish* Woollen Goods, which they shall find on Board an Ship or Vessel whatsoever, and all Wool which shall be found on Board of any other but the said Register-Vessels.

And these Provisions are the more necessary, because we have been credibly informed, that of late Years *British* Merchants have given no small Encouragement to the *Irish* Woollen Manufactures, by buying up, and exporting great Quantities from that Kingdom on their own Accounts to Foreign Parts.

And provided an effectual Stop could be put to the Exportation of *Irish* Woollen Manufactures, and of *Irish* Wool to Foreign Parts, we should conceive, that it would be highly for the Benefit of *Great Britain*, freely and without Duties to admit the Importation of their Yarn.

And in order to make this Benefit more extensive, we would beg Leave to submit to your Lordships Consideration, whether it may not be proper to open all Ports
of

of Ireland and England, for the Exportation and Importation of *Irish* Wool and Yarn; but more particularly the Ports of *Gallway* and *London*: For we are informed, that great Quantities of the best Wool in *Ireland*, are produced within thirty Miles round that Town of *Gallway*, which is above 100 Miles distant from any Sea-Port now open for the Exportation of Wool from that Kingdom; so that the Land-Carriage in *Ireland* creates an Addition of about 6 *per Cent.* upon the prime Cost of the Wool, before it comes to any of the Ports from whence it can be sent to *England*, as the Law now stands; and in the same Manner, the Charges of carrying a Pack of *Irish* Yarn from the Port of *Bristol* to *Colchester*, or *Norwich*, has been computed to be no less than 5 *per Cent.* at a Medium, upon the prime Cost of the Yarn; and the Charge of carrying a Pack of *Irish* Wool, between those Places, is computed at near 15 *per Cent.* upon the prime Cost of the Wool; which being impartially considered, we conceive it will appear unreasonable to your Lordships, that the Manufacturers in one Part of the Kingdom should remain under the Necessity of working up the *Irish* Wool and Yarn near 10 *per Cent.* dearer than others: A Difficulty that would be entirely removed by opening the Port of *London*, which lies conveniently for supplying the Manufacturers of *Essex*, and of the adjacent Counties.

These are the principal Matters that have occurred to us upon this Enquiry, to which we would beg Leave to add, that those Provisions as shall be approved of, and more particularly, what relates to the Register-Ships, may be extended to the *Isles Man, Guernsey, Jersey, Alderney*, and *Sark*.

*All which is humbly submitted to your
Lordships great Wisdom.*

Whitehall,
Feb. 25, 1731-2.

*Westmorland,
P. Docminique,
T. Pelham,
Edw. Ashe,
M. Bladen,
Orlando Bridgeman,
Arthur Croft,
James Brudenell.*

On

On the 29th of *November* there was held a General Court of the Royal *African Company of England*, when the Sub-Governor acquainted the Court that they were called together for laying a State of the Company's Affairs and Trade before them, which would appear from a Representation prepared by the Court of Assistants for that Purpose.

Then the said Representation was read, and was as follows,

THOUGH it is a considerable Time since your Court of Assistants had the Satisfaction of meeting you in a General Court; yet they hope, from the Account of your Affairs, which is now to be laid before you, it will appear they have at no Time been wanting, either in Care or Zeal for your Service.

The State and Condition of the Company's Affairs about the Beginning of the Year 1725, cannot yet be forgot: A dead Charge of 20,000 *l. per Annum* for the Support and Maintenance of your Forts and Settlements on the Coast of *Africa*, your Trade to the *West-Indies* under very precarious and discouraging Circumstances, a Debt here at home of near 100,000 *l.* an almost total Loss of your Credit every where; and a general Despondency in those who wished well to your Affairs, make up a Part of the many Difficulties which your Court of Assistants had then to struggle with.

Supported, however, and encouraged by the Justice and Equity of your Pretensions to the Favour and Encouragement of the Publick, as well as by a firm Persuasion, that by taking proper Measures, and steadily pursuing the same, the Company might by Degrees extricate themselves out of all their Difficulties: Your Court of Assistants chearfully undertook the Work, and the Progress which they have made in re-establishing your Affairs, they hope will prove, though not equal to their Wishes, yet not altogether unacceptable to you.

That which required their more immediate Consideration, was, how and by what Means to pay off and satisfy that great and heavy Debt, which the Company then owed: Many of those to whom Money was due being very necessitous, and all in general very uneasy at being kept out of their Money, without any Certainty when they might depend upon being paid; and

as

as your Court of Assistants judged, that nothing could have been more unwelcome to the Adventurers than to have made a Call upon them sufficient to discharge such a Debt; and as it would have been highly imprudent, if not inexcusable, in those to whom you had intrusted the Care and Management of your Affairs, to continue to carry on your Trade upon a losing Foot; the only Course which your Court of Assistants had to take under such Circumstances, was, to put a Stop for some Time to the buying and exporting of any more Goods, and by that Means to avoid as much as possible the running further into Debt, and to appropriate all your Returns as they came home, towards the Payment and Satisfaction of those Debts which lay then so heavy upon the Company; the Result thereof was, that in about two Years, and without putting you to any extraordinary Charge, your Court of Assistants were enabled to make full Satisfaction to every Person who had any Demands on the Company.

During this Interval, a sincere Regard and Concern for the Safety and Preservation of this Trade to the Nation, as well as an earnest Desire of seeing your Affairs re-established upon such a Foot, as that you might reasonably hope to reap some Profit in future, for the many Losses you had hitherto sustained, were Motives sufficient to induce your Court of Assistants humbly to beg Leave to lay the State and Condition of the Trade to *Africa* in general before his late Majesty, in order to the obtaining such Relief and Redress, in relation to the Hardships which this Company had long laboured under, as his Majesty in his Royal Wisdom should think fit. But your Court of Assistants meeting with more and greater Difficulties at that Time in the Course of their Solicitations on your Behalf, than could be soon removed; and the Charges for the Maintenance of your Forts and Settlements in *Africa*, running still very high, without any Income to support or alleviate the same; the next Thing which your Court of Assistants thought incumbent on them to do, after having reduced the Salaries of the Court of Assistants from 2700 *l. per Annum* to 1000 *l. per Annum*, and the Number and Expence of your Officers and Servants at home from 2000 *l. per Annum* and upwards, to about 800 *l. per Ann.* and lessened your Charges abroad very considerably; was, to apply their Thoughts wholly to the Prosecution of those Branches of your Trade, which still afforded some Prospect of Advantage;

Advantage; and by that Means to try, if not to turn the general Ballance in your Favour, if not to defray your whole Charges, yet, at least, to ease you as much as in them lay of that great Burthen, which you were still unavoidably obliged to bear, until a more favourable Opportunity should offer of making your Case better known, and of obtaining that Relief and Assistance which you had so long, though in vain, sought for.

Pursuant to those Resolutions, your Court of Assistants, about the Beginning of the Year 1727, made sundry new Regulations in your Trade. They had Reason to believe, that Gold, Elephants Teeth, Beeswax, Dying Woods, Gums, and several other Commodities of great Use and Value, might be had in greater Quantities, as well as upon more easy Terms, if sought for in the Inland Countries of *Africa*, than at the Sea Ports along the Coast, where alone, they had hitherto been purchased; and therefore they strictly enjoined your Agents and Factors in *Africa* to apply themselves, in the first Place, to the making Discoveries, and improving the Trade towards the Inland Countries, in all its Branches, as much as in them lay. That Branch of the Negro Trade which consists in sending Negro Slaves to the *West-Indies*, they left entirely off, as being very chargeable, and attended with great Hazards and Uncertainties; but as they could not entirely leave off dealing in Negroes, without great Detriment to the other Branches of your Trade, they confined their Trade in them wholly to the Coast of *Africa*, and by that Means put the same on such a Foot as they were sure could not fail of yielding considerable Profit. And as for the Charges abroad, they made several further Reductions and Alterations, but more particularly with regard to the Salaries and Commissions of your chief Agents and Factors in *Africa*; they entirely altered the old Establishments, for instead of allowing great Salaries and small Commissions, they reduced the Salaries very considerably, and made a proportionable Augmentation to their Commissions, with this special Proviso, That all Commissions on Negroes should arise from, and be paid out of the clear Profits which they should make for the Company, upon the Sale and Disposal of them again on the Coast, and not otherwise. And, as this was the only Method which your Court of Assistants could then propose for enabling the Company to carry on any Trade with Advantage, they can with great Truth say, that if it has not, as yet
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altogether succeeded, according to Expectation, it has been owing not to any Fault, or Want of Inclination in them to do all that lay in their Power for your Service, but to several other intervening Obstacles and Accidents; such as the Interruption given to your Trade on the North-Coast by the *French*, the Loss of your Settlement in the River *Sierraleone*, (*Anno 1728*) with sundry of your Effects, Goods, and Stores, amounting to a considerable Value, the Wars and Troubles between the Sea Coast and Inland Countries on the Gold Coast; the total Destruction of the Kingdom of *Whydah*, and the Removal of almost all Trade thereupon from your Fort in that Country, to other Places, &c. But more-especially to two Things, which it has never yet been in the Power of your Court of Assistants wholly to remedy; that is to say, to the Scantiness of your Stock in Trade, at the Time when this Scheme was first set on Foot at home, and to the Want of a sufficient Number of honest and able Servants to manage and conduct the same abroad.

As for the Value of your trading Stock when this Method was first resolv'd upon, it consisted of sundry Goods then remaining in your Ware-houses on the Coast, many whereof, as has since appear'd, were damaged, sundry unvendible and improper for the Trade, and all in general very much unforted: In several outstanding Debts in the *West-Indies*, and elsewhere, most of which came in, not only very slowly, but much short of what was expected from them, by reason of the great Loss upon Returns in Sugar, and many not recovered to this Day; and in three small Ships or Vessels of some Years standing in the Trade; but what was most discouraging of all, at the very Time it was resolv'd to resume your Trade again, and to carry it on upon the new Foot, the Payment of your old Debts had entirely exhausted your Treasury; and your Court of Assistants had no other Fund to have Recourse to, but that little Stock of Credit and Reputation which the Company had acquired by acting in the Manner they had done by their former Creditors.

These and the like Difficulties and Discouragements, great as they were, yet were they not able to prevail upon your Court of Assistants to relax in their Endeavours for your Service: To them the Scheme agreed upon appear'd feasible and practicable, and therefore resolv'd to try what could be done thereupon. They built

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and provided, with all possible Expedition, eight new Ships, proper for the intended Trade, which, with the three old ones, they judg'd would be sufficient to begin with ; the Charges whereof to Sea amounted to above 10,000*l.* In the Years 1727, 28, and 29, they sent upwards of 38,000*l.* out in Goods and Stores, in Order to assort your Warehouses to carry on an Inland Trade, and to keep up and maintain your Forts and Settlements on the Coast ; and by all Opportunities they sent out such Orders and Instructions for carrying on the said Scheme of Trade, as they judged would most effectually answer the Ends proposed thereby ; but upon the whole, your Court of Assistants must observe, that most of those Outsets being made upon Credit, and your Servants in *Africa* failing to make Returns in any Degree suitable to such large Exports from hence ; the only Thing which afforded your Court of Assistants any Relief under so great a Disappointment, and which, indeed, enabled them to go on with your Affairs, and saved the Reputation of the Company, was, the Money which came in by the Sale and Disposal of 82,739*l.* 11*s.* 4*d.* of the Trust-Stock in the Years 1728, and 29 ; and the only Satisfaction which your Court of Assistants had, after a Trial of three Years, was to observe from the Books and Accounts that came home, that every Branch of your Trade, and particularly that of Negroes, as carry'd on under the late Regulations, had yielded considerable Profit ; tho' upon the whole, not near sufficient to answer and defray all the Charges which you were still necessarily obliged to be at.

Thus, *Gentlemen*, your Affairs stood about the Beginning of the Year 1730 ; the Scheme of Trade, as it has been carry'd on for the three foregoing Years, had succeeded in Part ; such Gold, Elephants Teeth, Bees-Wax, and other Commodities as came home, answered very well ; and by the Accounts relating to the Negro Trade, it appear'd, that instead of losing thereby, as you had done for near 40 Years before, you are considerable Gainers upon the Ballance. And had your Agents and other Servants abroad, been able to have procured sufficient Quantities of Gold, and other dry Goods, to have freighted your Ships home with, and to have traded for larger Quantities of Negroes on the Coast ; there is no Room to doubt, but that the Profits arising therefrom, would not only have defray'd all your Charges, but would likewise have produced a Surplus sufficient to have made a reasonable

a reasonable Dividend to the Adventurers. But it is with no small Concern, that your Court of Assistants are obliged to tell you, that whatever Endeavours they had used for that Purpose, yet the Success was by no Means answerable thereto.

Disappointed however, as they were in this, as well as in many other Things; yet still they had the Satisfaction to reflect, that as they had left no probable Way unattempted in the Way of Trade, in order to re-establish your Affairs, and promote your Interest, so possibly, such a manifest Proof of the Difficulties and Discouragements which every Branch of this Trade labour'd under, might help to convince the Publick of the Necessity of taking the Company's Case into Consideration, and of granting them some suitable Relief and Assistance. And here your Court of Assistants cannot but with the greatest Satisfaction own, that their Hopes were so far from being ill grounded, that they shall ever look upon the Success and Encouragement, which the Company met with upon this Occasion, as a sufficient Recompence for all the Pains they had hitherto taken, in the Management of your Affairs; For tho' the Company continu'd still to have many Enemies, and tho' many Misrepresentations were daily thrown out against them; yet so good and indulgent was the Hon. the House of Commons, so sensible of the Importance of this Trade to the Kingdom, and so warm in their Inclinations as well for the Preservation of the Trade in general, as for giving all due Satisfaction and Encouragement to the several Parties concern'd therein; that upon the humble Application of the Company, they were pleased to appoint several Days for taking the State of the said Trade into Consideration; they were pleased, with the greatest Patience and Indulgence, to allow a full and free Hearing to all the Parties concern'd therein; and so sensible was that great and honourable Assembly, of the Importance of the Trade on one Hand, and so cautious of giving the least Check or Discouragement to the same, that they voted, That it should always continue free and open to all his Majesty's Subjects; and that no Duty or Imposition should ever be laid on the same; and so fully were they convinced, on the other Hand, of the Usefulness and Expediency of Forts and Settlements on the Coast of *Africa*, and of the Justice and Equity of relieving and assisting the Company, that they were pleased to grant the Sum of 10,000*l.* to be

apply'd towards enabling them to keep up and maintain their said Forts and Settlements. His Majesty, who was also most graciously pleased to recommend your Case to the Hon. House of Commons, did likewise, upon the humble Suit and Application of the Company, direct the Payment of the said Sum of 10,000 *l.* and in the same Manner you have also been honour'd with the Royal Recommendation, and with the Aid and Encouragement of the Parliament every Year since.

After all the Care and Precaution that had been taken in your Affairs, before any Application was made to Parliament, but more-especially after the obtaining the above-mention'd Aid and Encouragement from the Legislature, your Court of Assistants must freely own, that it was very natural for the Proprietors of the Stock to expect to have reaped some Benefit and Advantage from the Trade before this Time: But in order to satisfy you, as to the Part which your Court of Assistants have asked since, as well as to acquaint you with the true Reasons of this Delay, they hope you will give them Leave, in the next Place, to proceed to lay before you the several Measures they have taken for your Service, since the Parliament was pleased to grant the said Allowance; and then to acquaint you, in as particular a Manner as they can, with the present Situation and State of your Affairs.

As for the Measures which have been taken since the Parliamentary Allowance was first granted, they consist chiefly of these Particulars, *viz.* in the providing and sending out sufficient Numbers of Recruits of Tradesmen, Artificers and Soldiers, for keeping up your Establishments on the Coast, pursuant to the Estimates deliver'd in to the Hon. House of Commons; in providing and supplying your Forts and Settlements with all Sorts of Stores, Ammunition, and Provisions, necessary for their Support and Defence; in entertaining the ablest and best qualify'd Persons that could be met with, for managing and conducting your Trade in *Africa*; in contriving the most proper Methods for keeping your Accounts, as well in Order to see what Branches of your Trade are profitable or unprofitable, and consequently fit to be encouraged or discontinu'd, and what Places are best situated for Trade, and which of your Servants are most industrious in promoting your Interest; as to distinguish exactly between the Charges of your Forts and Settlements, and those which ought to be placed to the Account of Trade: In building and fitting out sundry

dry new Ships and Vessels for the better and more effectually carrying on your Trade, to all Parts along the Coast, as well as into the Inland Countries, by the Means of Navigable Rivers, and more particularly up the River *Gambia*, which is navigable for small Vessels above 300 Leagues: And lastly, in providing sundry large and valuable Cargoes, of the choicest Goods and Merchandize, for affording your Warehouses, and enabling your Servants to extend and improve your Trade every Way, as much as possible: The Cost and Charge of all which, in *England*, from the 24th of *June* 1730, to the 31st of *December* 1731, amounts to upwards of 40,000*l*. Sterling: From all which, your Court of Assistants cannot but observe, that had your Agents and other Servants abroad, faithfully done their Duty to the Company, in their several Stations, and kept your Books and Accounts in the Manner they were directed, and in all other Matters carefully observed the several Regulations, Orders, and Instructions, which your Court of Assistants prescribed to them, in the strongest and most express Terms, there is no Room to doubt, but that the Trade would have fully answer'd all our Expectations before this Time; and your Court of Assistants would have had the further Pleasure of being able to have laid before you a much more satisfactory and complete Account of the present State and Condition of your Affairs than they can as yet possibly do.

From our Agents at *Gambia*, they have, indeed, received four Sets of Books, said to be made up and ballanced to the 31st Day of *December* 1731; but they are kept in so confused and irregular a Manner, and with so little Regard to the Orders and Instructions sent out to them for that Purpose, that your Court of Assistants have been obliged to employ several Hands here at home, for many Months past, in order to methodize and to form regular Sets of Books, made up and ballanced to the last Day of *December* 1731, as they had Reason to expect; they have lately received nothing but a Waste-Book of their Trade and Transactions, from the 30th of *June* 1730, to the 31st of *December* 1731, with other Accounts and Papers relating thereto, in order to have regular Journals and Ledgers formed and made up from them here at home; which are now likewise in Hand, and carrying on with all the Expedition that is possible: But in the mean Time, and until the Books and Accounts which are now come home, can be brought up and

and ballanced, they must be obliged to comprize what they have further to acquaint you with, in Relation to the present State and Condition of your Affairs, under the following Heads and Particulars.

And first, with regard to the State of the present transferrable Stock ; they are to acquaint you, that of the Sum of 272,739 *l.* 11 *s.* 4 *d.* of the new Stock, which was placed to the Names of sundry Trustees, by Order of the General Court held the 23^d Day of *March*, 1726-7, no Part thereof hath been sold and disposed of since the Year 1729 ; and in the Years 1728 and 1729, no more than the Sum of 82,739 *l.* 11 *s.* 4 *d.* as before-mentioned ; so that there remains still in the Names of the said Trustees 190,000 *l.* Stock, not yet disposed of : And the whole Amount of the transferrable Stock, according to the Accounts formerly laid before you, should have been no more than 210,000 *l.* But your Court of Assistants must observe, that in the Month of *June* 1731, it came to be discovered, that one *Amos Stocker*, who had been intrusted with the Care of your Transfer Books for several Years before the Year 1727, as well as after ; and who had always bore a fair Character, and was reputed to be a Person in good Circumstances, had, in several respects, grossly abused the Trust reposed in him ; partly by giving in a wrong Account of the State of the Stock in the Year 1727, the better to cover his former ill Practices ; and partly by making, or permitting others to make sundry fictitious Transfers since, to the Prejudice of the Company ; so that upon making up the Stock Books in *July* and *August* 1731, it appeared, that the Transferrable Stock amounted to 19,985 *l.* 13 *s.* 7 *d.* more than it ought to have done, according to the Accounts formerly by him delivered in. Mr. *Edward Sparke*, your present Accountant, having first privately acquainted some Gentlemen of your Court of Assistants with this Discovery, and you further, that the said *Stocker* had made him an Offer of 500 *l.* to conceal the same ; and it being apprehended, that without using great Caution in such an Affair, the said *Stocker* might withdraw himself from your Service, and perhaps leave the Kingdom, as some others under the like Circumstances have done since ; Mr. *Sparke* had Directions to take the said 500 *l.* in order to keep him from suspecting that any such Discovery had been made, 'till Measures could be concerted for securing his Person, and obliging him to make the utmost Satisfaction he could, for the Wrong

Wrong he had done the Company; and accordingly being arrested on the 7th Day of *July*, 1731, at the Suit of the Company, in an Action of 10,000*l.* his Person was thereupon secured; and being several Times examined by sundry Gentlemen of your Court of Assistants, he at last confessed the whole Affair, and offered to make over what Estate and Effects he had to the Company, and to give his Bond and Judgment for whatever should appear due to them upon the Ballance; which being the utmost your Court of Assistants could do in so unhappy an Affair, they agreed to accept the same; and accordingly, upon his paying down 1603*l.* 4*s.* 9*d.* in Money (the 500*l.* paid to Mr. *Sparke* as above-mentioned, being taken as Part thereof) and making over an Estate in *Somersetshire* to the Company, which came to him by Inheritance, and which has been since sold for 2200*l.* and giving his Bond and Judgment for the Ballance of what he was charged with in Account, the Action against him was withdrawn. Your Court of Assistants will only observe further upon this Head, that as the Money which had been received on this Account, has been already partly applied towards the buying in and replacing such Stock, and the rest is intended to be applied to the same Use, as well as some other Monies, which they doubt not but to recover from some Persons who they have Reason to suspect were in Confederacy with him; so, when all these Matters are settled and adjusted, the whole of your transferrable Stock will then be considerably under 220,000*l.* and the Loss, upon the Whole, will not be very considerable.

As for what concerns your other Affairs, your Court of Assistants can only inform you in general, that besides your Forts and Settlements which certainly are of a very considerable Value; it is computed, that your Estate in Goods, Merchandize, Negroes, Debts, &c. at this Time on the Coast of *Africa*, amounts to upwards of 120,000*l.* that Country Money: That your Estate in Shipping, in Goods and Merchandize, now on the Way to *Africa*; in Goods for Exportation, and in sundry recoverable Debts in the *West Indies*, and other Places, amounts to upwards of 30,000*l.* Sterling: That the Company owes at this Time upon Bond 27,000*l.* that all your Debts due to Tradesmen and others do not exceed 10,000*l.* And lastly, that they have Grounds to believe, by the Trade which was made on your Account, from the 31st of *December* 1719, to the 31st of *December*

December 1731, you gained upwards of twenty thousand ; from all which Particulars, though your Court of Assistants have Reason to think, that upon a general Balance, it will be found, that the Allowance granted by Parliament, together with the Profit made by the two last Years Trade, ending the 31st of December, 1731, will more than defray all your Charges at home and abroad ; yet they cannot think themselves sufficiently warranted, to propose the declaring of any Dividend until all your Books can be brought up to that Time ; and that it shall thereby more certainly appear what Profit has been made over and above all your Charges, and consequently what Dividend may be safely resolved upon : And all that your Court of Assistants can say further in relation to this Affair, is, only to assure you, that as soon as those Accounts are settled and adjusted, they will not fail to call you together, and to acquaint you with the Result.

Gentlemen,

Your Court of Assistants having thus acquainted you with their Proceedings for several Years past, with the many Difficulties and Discouragements which they have had to struggle with ; with the Success of their Application to Parliament in your Behalf ; with the several Steps and Measures they have all along taken, as well for retrenching all unnecessary Expences, as for making your Trade as profitable to the Company as possible : And lastly, with the Reasons which induced them to think, that in the Way your Trade is, and has been carried on for some Time past, some Profit has already been made over and above all your Charges ; they hope you will not set the less Value on their Services, if they take the Liberty to tell you further, that had they not all along very frequently assisted the Company with their own Monies, as well as borrowed considerable Sums of others on their own private and personal Security, to answer your necessary Occasions ; it had been impossible for them, with the Stock which you had in Trade, and under the many repeated Disappointments which they met with from Abroad, to have supported your Credit, and to have made that Progress in re-establishing your Affairs, which they have done.

This Representation being already drawn out to so great a Length, your Court of Assistants will only take Leave to mention two or three Things more ; which,

as they conceive, are of the utmost Importance for your Interest ; and therefore will deserve your most serious Consideration.

One is this ; Your Trade is now upon a good Foot^g ; you have a sufficient Number of Ships and Vessels of your own ; your Warehouses on the Gold Coast, and at *Whydah*, are well stocked with Goods, and towards enabling the Company to defray the Charges of their Forts and Settlements, they are indulged with a handsome Allowance from the Publick ; but then, to improve this promising Situation of your Affairs to the best Advantage, your Court of Assistants beg Leave to observe, that it will be absolutely necessary that every Branch of Trade, and more especially that up the River *Gambia*, and towards the Inland Countries of *Africa*, should be carried on, enlarged, and prosecuted with the utmost Vigour ; and that this cannot be done effectually, and as it ought to be, but by your enabling your Court of Assistants to raise such further Sum or Sums of Money as shall be requisite for that Purpose.

Another Affair of no less Importance to the Prosperity of the Company is this ; A new, and very advantageous Scheme, or Branch of Trade, hath lately been proposed to some of your Court of Assistants for increasing your Returns from *Africa*, with much Certainty, and to a very considerable Extent ; and it is, as they are assured, very practicable, and consequently well worthy of the utmost Encouragement you can give it. But your Court of Assistants are further informed, that this Scheme, and the Advantages attending the same, cannot be obtained for the Company without a considerable Charge and Expence ; and when it is obtained, that it will require a large Sum of Money wherewith to carry it on.

Your Court of Assistants wish they could be more particular upon this Head ; but being assured that the Success of the whole Affair does, in a great Measure, depend upon its being kept private for some short Time longer, they must content themselves with telling you at present, that in order to enlarge and prosecute the several Branches of your Trade, as above-mentioned, and to put this new Scheme of Trade in Execution, will require the Sum of 100,000 ^l. in Addition to your present Stock in Trade.

And as there is no Time to be lost in making all due Preparations in Affairs of this Consequence, your Court of Assistants cannot but hope, that after all the
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Care and Pains they have hitherto taken for retrieving your Affairs, you will think it for your Interest to join, assist, and concur with them in all proper Measures, as well for the introducing and carrying on of such a new and advantageous Scheme of Trade, as for prosecuting all the present Branches of Trade in the best and most advantageous Manner: And as there is an easy Way of answering all these Purposes, and which, with your Assistance cannot fail of succeeding, they hope you will give them Leave to propose the same to you as follows.

First, That in order to raise such Sum or Sums of Money as shall be requisite for enlarging and carrying on the Company's Trade in all its Branches, 1000 Bonds of 100 *l.* each, amounting in the whole to 100,000 *l.* numbered from N^o 1. to N^o 1000. successively, and marked, dated and payable, as follows, be issued out under the Common Seal of this Company, to such Persons as shall be willing to lend Money upon them, and that the said Bonds do carry Interest at and after the Rate of 4 *per Cent.* and that the Interest be paid Half-yearly.

Secondly, That in order to enable the Company to enlarge and carry on all the present Branches of their Trade with the utmost Vigour, 200 of the said Bonds, amounting in the whole to 20,000 *l.* be numbered, from N^o 1. to N^o 200. that they be marked with the Letter A. and dated the 31st Day of *December* next, and made payable the 31st Day of *December*, 1734.

Thirdly, That in case any new advantageous Scheme or Method of Trade, whereby this Company shall be enabled to enlarge their Returns from *Africa*, shall take Effect, the remaining 800 Bonds of 100 *l.* each, amounting to 80,000 *l.* be made out, marked and dated, and Money raised upon them, in such Manner, and by such Proportions as the Company's Affairs shall require, and as this General Court shall from Time to Time direct and approve of, and not otherwise.

Fourthly, That no other Bonds whatsoever under this Company's Seal shall be made or issued out until all such Bonds as aforesaid shall be fully paid off and discharged: And further, That such of the Company's Bonds as are now out, be paid off as they shall become due, and then immediately cancelled.

Fifthly, That as a Collateral Security for the Payment of the 20,000 *l.* in Bonds, which are to bear Date the 31st

31st Day of *December* next, such of the Proprietors as shall think fit, do declare on or before the 15th Day of *December* next, what Sum or Sums they will be willing to contribute, if required, towards the paying off the said 20,000 *l.* in Bonds when they shall become due; that they be allowed and paid a Premium of 1 *per Cent.* for such Sums as they shall oblige themselves to contribute: That 10 *per Cent.* of the Money so to be provided, be paid down, and that Interest after the Rate of 4 *per Cent.* be allowed and paid for the said Deposite Money, and for all such further Sum or Sums as shall be hereafter advanced for this Purpose, if any, until they shall be repaid.

Sixthly, That in order to the obtaining and gaining of any new Advantage or Advantages in the Way of Trade, whereby this Company shall be enabled to enlarge their Trade to, and to ascertain proportionable Returns from *Africa*, and for defraying the Charges and Expences which may attend the same, the Court of Assistants be empowered to take such Measures, and to make and conclude such Agreement or Agreements with any Person or Persons whatsoever, as they shall think fit; and in all Matters and Things whatsoever, to act and do in as full, ample, and effectual a Manner as this General Court could or might do, for enlarging the Trade and advancing the Interest of this Company.

By this Method your Court of Assistants conceive your Affairs may be put into a very flourishing Condition; and the several Sums of Money which will be wanted for carrying on your Business in all its Branches, may be raised on the Company's Bonds with great Ease, and without any Hazard to any Body; but whether you will be of the same Opinion, and how far you will think fit to favour and encourage these Proposals, are Matters which they must now submit to your Consideration.

After which, it was unanimously agreed to give the Thanks of that Court to the Court of Assistants, for the great Care and Pains which they had taken in the Management of the Company's Affairs. And then they came to the following Resolutions.

I. *Resolved*, That in order to enable the Company to enlarge and carry on all the present Branches of their Trade with the utmost Vigour, 200 Bonds of 100 *l.* each, amounting in the whole 20,000 *l.* be issued out under the Common Seal of this Company, to such Persons as

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shall be willing to lend Money upon them; the said Bonds to bear Date the 31st Day of *December* next, and payable the 31st Day of *December*, 1734, and to carry Interest after the Rate of 4 *per Cent. per Ann.* to be paid Half-yearly.

II. *Resolved*, That such of the Proprietors of this Company as shall be willing to take all or any of the said Bonds, shall have the Preference of any other Persons, provided they give Notice at the Secretary's Office on or before the 15th Day of *December* next, what Number they will take of the said Bonds, and pay down 3 *per Cent.* in Part.

III. *Resolved*, That in case any new and advantageous Scheme, or Method of Trade, whereby this Company shall be enabled to enlarge their Returns from *Africa*, shall take Effect, 800 Bonds of 100*l.* each, amounting to the further Sum of 80,000*l.* be made out, marked and dated, and Money raised upon them, in such Manner and by such Proportions as the Company's Affairs shall require, and as a General Court shall from Time to Time direct and approve of, and not otherwise.

IV. *Resolved*, That no other Bonds whatsoever, under this Company's Seal, shall be made or issued out, until all such Bonds, as aforesaid, shall be fully paid off and discharged: And further, that such of the Company's Bonds as are now out, be paid off as they shall become due, and then immediately cancelled.

V. *Resolved*, That as a Collateral Security for the Payment of the 20,000*l.* in Bonds, which are to bear Date the 31st Day of *December* next, such of the Proprietors as shall think fit, do declare, on or before the 15th Day of *December* next, what Sum or Sums they will be willing to contribute, if required, towards the paying off the said 20,000*l.* in Bonds, when they shall become due: That they be allowed and paid a Premium of 1 *per Cent.* for such Sums as they shall oblige themselves to contribute: That 10 *per Cent.* of the Money, so to be provided, be paid down; and that Interest, after the Rate of 4 *per Cent.* be allowed and paid for the said Deposit Money, and for all such further Sum or Sums as shall be hereafter advanced for this Purpose, if any, until they shall be repaid again.

VI. *Resolved*, That in order to the obtaining and gaining of any new Advantage, or Advantages, in the Way of Trade, whereby this Company shall be enabled to enlarge their Trade to, and to ascertain proportiona-

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ble Returns from *Africa*, and for defraying the Charges and Expences which may attend the same, the Court of Assistants be empowered, and they are hereby empowered to take such Measures, and to make and conclude such Agreement or Agreements with any Person or Persons whatsoever, as they shall think fit; and in all Matters and Things whatsoever, to act and do in as full, ample, and effectual Manner, as this General Court could, or might do, for enlarging the Trade, and advancing the Interest of this Company.

VII, *Resolved*, That no Part of the 190,000 *l.* Stock vested in Trustees for the Use of the Company, be disposed of without the Order of a General Court. And then the Court adjourned.

On the 17th of *January* came on the Election of Governors of the said Company, when were chosen

The King's most Excellent Majesty, Governor.

Sir Bybye Lake, Bart. Sub-Governor.

Charles Hayes, Esq; Deputy-Governor.

And next Day the following Gentlemen were chosen to be the Court of Assistants, viz.

Solomon Ashley, Esq;
 * Mr. Peter Affelin,
 Thomas Bradshaw, Esq;
 Joseph Bradshaw, Esq;
 John Baker, Esq;
 * Mr. Thomas Bird,
 Thomas Bodicoate, Esq;
 John Bodicoate, Esq;
 Francis Boteler, Esq;
 * Mr. John Carr,
 Christian Cole, Esq;
 Robert Cruikshank, Esq;

* Mr. John Dale,
 Daniel Finch, Esq;
 John Gascoyne, Esq;
 * Mr. John Goddard,
 * Mr. Edward Jasper,
 John Laroche, Esq;
 Charles Lloyd, Esq;
 Henry Parsons, Esq;
 Benjamin Periam, Esq;
 Thomas Revell, Esq;
 John Thomson, Esq;
 Philip Wilkinson, Esq;

N. B. Those marked with * were not of the late Court of Assistants.

On the 13th of *September*, a certain Number of Gentlemen waited on the Directors of the *East-India* Company, and voluntarily subscribed 240,000 *l.* at 3 per Cent. Interest, for which Sum the Company issued Bonds at *Michaelmas* last, when the Money was paid in at 3 per Cent, for 12 Months, payable at six Months Notice.

On the 20th was held a General Court of the said Company, when Sir Matthew Decker from the Chair, acquainted them, that the Court of Directors had received three several Schemes for the Reduction of the Interest on the Company's Bonds, but that they thought them impracticable; and that having received Intelligence of a Probability of the Bank's advancing Money to the Company at a low Interest, they had made Application to the Bank Directors, but that they refused to lend them any Money under 4 *per Cent.* Then he acquainted them of their having taken the above Subscription for 240,000 *l.* and that some other Gentlemen were desirous to subscribe 285,000 *l.* more at 3 *per Cent.*

After this, there were long Debates about the Reduction of the Interest on their Bonds, and at last the Question was put, whether a Reduction should be made? which was carry'd in the Affirmative. Then another Question was put in Substance thus, That Notice should be given to the Possessors of the Company's Bonds, to come and receive, on the 31st of *March* next, the Principal and Interest then due, and that they should have a Liberty to exchange them for Bonds carrying 3 *per Cent.* Interest, payable in 18 Months, which Question occasion'd a new Debate, and it was resolv'd to have it determin'd by a Ballot: Accordingly the Question was ballot for, and the Ballot was closed on the 26th, when the Numbers stood as follows, *viz.*

For the Question	185
Against it	147.

And next Day the same was reported to the General Court, when the Reduction of the Interest on their Bonds to 3 *per Cent.* was accordingly resolv'd on: And an Advertisement was soon after publish'd, for giving Notice to their Bond Creditors, that they were to pay them the principal and Interest that would be due on their Bonds on the 31st of *March* next; but that the Possessors being by their Resolution entitled to a Preference of lending the Company at 3 *per Cent.* they should have till the 31st of *October* then next, to bring in their Bonds to be exchanged for others carrying 3 *per Cent.* from the 30th of *September* then instant, payable in 18 Months, and that 10s. *per Cent.* would be paid them, as a Premium, in lieu of the Six Months Notice.

This Resolution and Advertisement occasion'd a great Alarm among the Possessors of their Bonds; and the

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very next Day an Advertisement was published signifying, That several large Proprietors of *India Bonds* desired that the Persons interested in such Bonds would give them a Meeting at the *Fleece Tavern* in *Sarahill*, on the 5th of *October* then next, at 11 o'Clock, to consider what was proper to be done for their Interest. And at Bottom they requested the said Bond Proprietors, not to receive the Interest to be due at *Michaelmas*, on their Bonds, till after the said Meeting. At which it was unanimously resolved,

1st, Not to carry in their 4 *per Cent.* Bonds to be marked or exchanged on or before the 31st of that Instant *October*, for new Bonds carrying 3 *per Cent.* Interest.

2dly, To meet again at the same Place, on the 8th of *November* then next, to consider further of Measures proper to be taken in support of the foregoing Resolution.

And the same Request to the Bondholders was again new'd.

Most of the Bondholders joined together in this Association, which made the Proprietors of the *East-India Company* begin to think of altering their Measures, and therefore at the next General Court, which was held on the 3d Day of *November*, they unanimously agreed to leave it to the Court of Directors, to agree with the Bondholders on such Terms as they should think proper. In pursuance of which, the Directors came to a Resolution, to allow the Bondholders 3 and a Half *per Cent.* Interest, and gave them to the 15th of *December* to come in and exchange their Bonds, for new Bonds bearing an Interest of 3 and a Half *per Cent.* from the said 31st of *March* next.

In the mean Time, the Bondholders met according to Appointment, on the 8th of *November*, and a Proposition was made, that a Committee might be appointed to treat with the Court of Directors; but it was rejected, and a Resolution made not to accept of the 3 and a Half *per Cent.* Interest, but to insist upon 4 *per Cent.* and some Persons even began to think of insisting upon a higher Interest: They also resolved to meet again upon Notice by Advertisement in the News Papers, in Order to support the former Resolution. Accordingly they met again on the 30th of *November*, and resolved to abide by their former Resolution of insisting upon 4 *per Cent.*

Gent. and further they resolved, not to receive any *Payment* but in ready *Specie*.

After which, they agreed to meet again upon the 13th of *December*, which they did, and confirmed their former *Resolutions*, and agreed to meet again on the 10th of *January*; but this last Meeting was not so numerous as the former, several considerable *Bondholders* having resolved to accept of the 3 and a Half *per Cent.* and before the 13th at Night so many Bonds were carry'd in and exchanged, as comprised the *Dispute*.

On the 8th Day of *September* last, was held a General Court of the *South-Sea Company*, when after reading the *Minutes* of the last General Court, Sir *John Eyles*, *Baronet*, the Sub-Governor, acquainted the Court with the Steps taken in Relation to the Choice of the Committee for inspecting the Company's Accounts; and that of the said Committee, several Gentlemen had declined acting, and that not more than five had ever met, whereas, by the Resolution of the former Court, seven were requisite to make a *Quorum*; on which a Motion being made for reducing the *Quorum* of the said Committee from seven to five, it was agreed to.

And a Motion was then made, That it should be the Request of the General Court, that the Committee should proceed upon Business; which being supported, and much pressed by Sir *John Eyles* and others, who signify'd that it would be a Satisfaction to the Gentlemen in the Direction, as well as the Proprietors in general, the same was agreed to *rem. con.*

Then a State of the Bonds was read and deliver'd to the Court, whereby it appeared, That upwards of seven hundred thousand Pounds had been paid off, and that above two hundred thousand Pounds, not then brought in, were ready to be paid off as soon as presented for that Purpose.

The Court of Directors of the said Company having received Advice, that their Factors in the *West-Indies* had had Notice given them to depart from thence in two Months, unless the *Spanish Register Ship* taken by Way of Reprisal, by his Majesty's Ship the *Deal Castle* Man of War, should be restored within that Time; but that upon remonstrating, that it was impossible to have an Answer from *Great Britain* in that Time, they had been indulged with four Months; the Company upon this Advice, presented a Memorial to the Duke of *Newcastle*, one of his Majesty's principal Secretaries of State; representing

presenting the Danger they were in of having their Effects in the *Spanish West-Indies* seized, in Case the said Ship should not be restored.

On the 27th of *October*, the said Court of Directors came to a Resolution to suspend their Trade in the Whale-Fishery, on Account of the great Losses they had sustain'd by carrying it on; for tho' the Fishery this last Season had been the best they had met with, yet it was far from a saving Account. And upon the 22d of *November*, the said Resolution was confirmed by a General Court then held; and it was resolved to sell their Ships and other Materials employ'd in that Trade at a publick Auction, which was afterwards done accordingly.

In the Month of *June*, Proposals had been made by *Spain*, for purchasing the *South-Sea Company's* Right of sending an annual Ship to the *Spanish West-Indies*. In further Pursuance of this Affair, Sir *Thomas Fitzgerald*, the King of *Spain's* Agent here, having received from his Court Instructions relating thereunto, he, upon the 8th of *September*, proposed to the Court of Directors, by Authority from his Court, to give the Company Two per Cent. upon all the Returns of the Commerce of the *Spanish Flota* and Galleons, during the Remainder of the Time to run of the *Asiento* Contract; and afterwards he sent a Letter to the said Court of Directors, desiring an Answer to his former Proposal, and offering, that in Case it should be more acceptable to the Company to have a fixed Sum allow'd out of every Voyage of Flota and Galleons, he would (according to his Instructions) agree to treat with them upon that Footing.

This Affair came therefore of Course before the said General Court held upon the 22d of *November*, and it was then objected, that the *Asiento* Contract for supplying the *Spaniards* with Negroes, was attended with very great Loss to the Company; to compensate which, the Liberty of sending an annual Ship was granted as an Equivalent; and that therefore, if the one was given up, the other ought also to be surrender'd, which had not been taken Notice of in the Proposal made to the Company; whereupon Sir *Thomas Fitzgerald*, being present, inform'd them, that if they insisted on it, he would be ready in 24 Hours to treat with them on that Subject. But Sir *John Eyles* having signify'd to the Court, that as the Right of sending an annual Ship was procured by the Crown, it was a National Affair, and therefore he apprehended that the Company had no

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Power

Power to dispose of it, and the Court seeming to be of his Opinion, the Consideration of that Affair was suspended.

This Affair came again before a General Court of the said Company, held upon the 19th of January, when the Attorney General's Opinion, which had been taken as to this Affair, was laid before them; but as the General Court deemed it to be an Affair of the greatest Importance, they thought it required the most serious and full Consideration, and therefore it was further deferred to the next General Court.

At this General Court they resolved to address his Majesty, humbly praying him to continue their Governor, the Election for that Purpose being soon to come on. They likewise resolved that the Dividend for the half Year ended at Christmas last, should be Two per Cent. the Warrants to be payable the 13th Instant. And then Sir John Eyles, in a very handsome Speech acquainted them, that he was not any more to stand as a Candidate for being their Sub-Governor, and therefore recommended to them to think of a proper Person for that Station against next Election.

A very remarkable Affair has been stirred lately, which, tho' it had no Consequences, it is necessary to take some Notice of it in our Register. Most People know that the Dissenters are excluded from Offices in the Government, by a Law (call'd the Test Act) which obliges every Person in any Office, Civil or Military, to receive the Sacrament at certain appointed Times, according to the Usage of the Church of England. This Law was indeed originally levelled against the Papists, to whom it gave a great Blow in the Reign of King Charles II. and was not then complained of by the Dissenters, but indeed promoted (very much to their Honour, who sacrificed in that Case their private Views to the publick Good) by that whole Body; for being at that Time denied that Indulgence which they now enjoy, they seemed to desire no more than to have Liberty of Conscience, and of Worship after their own Manner; But the Revolution having laid Popery under Foot, and bringing on the Toleration, the Dissenters had not long been familiar with the Ease of that Indulgence, before (by a natural Disposition in Mankind) they began to extend their Views: They soon found that the Test Act stood in their Way to Posts of Honour and

and Profit; and they came by Degrees to see no Reason why one Subject should be distinguished from another, or why an Opinion in Religion should hinder a Man from serving his Country. Accordingly they made, during the Reign of King *William* and Queen *Anne*, some little Attempts towards getting this Act repealed, but without Success. For besides, that they were opposed by that whole Party, which was called the *Tories*, many of the *Whigs*, who were hearty Friends to the *Toleration*, were not convinced by the Reasons the Dissenters gave, that it would be proper to relieve them from this Incapacity. Some agreed that if the Publick Business was well done, it was no Matter what Scruples in Religion the Doer of it was possessed with; but they were not satisfy'd that this great Forwardness of the Dissenters to serve their Country, arose from such pure and disinterested Motives as they seemed to insinuate; and were apt to think, that in offering their Service so zealously, they might possibly have some Regard to the Authority and Revenue that waits upon eminent Posts, and not altogether to the Benefits that were to flow down upon the Publick, from their Attendance on them. Others remember'd the Example of the *Presbyterians* of *Scotland*, who, since the Establishment of that Hierarchy, had with the utmost Fury opposed, not only an Equality of the Episcopal Persuasion with themselves, but even that Indulgence, which by the amiable and christian Moderation of the Church of *England*, their Brethren enjoy'd in that Kingdom. And it was no Encouragement to give Power into their Hands, to see that where they were fully possessed of it, they used it so ill. These and other Arguments wrought so upon them, that tho' they were Friends to the Dissenters, they thought proper to defer the Repeal of these exclusive Laws, 'till some new Turn of Affairs might render such a Proceeding more advisable. This was the Case during those two Reigns. But the mutual Jealousy between the Dissenters and the Church of *England*, being now in Appearance subsided, and the Principles of People of all Sorts, leaning very much to the Side of Liberty, and the Dissenters having besides in an eminent Manner approved their Loyalty and Affection to the present Royal Family, it seemed a very proper Juncture to make another Attempt of this Kind. For they supposed that the Royal Family and Ministry could not but favour the Interests of a Body so faithful and

constant to them; and the Moderation of those of the Church of *England*, being more eminent and universal than ever, it was concluded they could have no Opposers but those few Churchmen, who still retain the high Notions which were much more in vogue 50 Years ago, than they are now, and who make an inconsiderable Figure. Nevertheless, this promising Appearance of Success unexpectedly failed; but the Causes from whence this Disappointment arose being only conjectural, we shall content ourselves with giving an Account of the Matter of Fact.

In the Months of *November* and *December* last, the Dissenters in and about this City, and also in several other Parts of the Kingdom, had several Meetings about applying to the Session of Parliament for the Repeal of the Corporation and Test Acts. At first they appointed a Committee to consider whether it was a proper Time for making such Application? And that Committee having consulted and fully considered the Affair, a great Meeting of the most eminent Dissenters in and about *London* was held on *Wednesday* the 29th of *November* last; at which Meeting the said Committee chosen to consider when and in what Manner to apply for the Repealing or Explaining of Part of the Corporation and Sacramental Test Act, reported, as their Opinion, 'That if it was attempted at present, it was not likely to be attended with Success.' Mr. *Holden* acquainted the Meeting, that that Report was almost unanimously concurred to by the Committee. It was afterwards understood to have been concurred to by all but Lord *Barrington* and Mr. *Bradley*, of those that were present; and by two Gentlemen who were absent. It was then moved to agree with the Committee: A long Debate ensued, in which some of the Committee, who concurred in this Report, declared, 'That though they could not have said that this was an improper Time to apply for this Repeal, yet that they had agreed to this Report as it now stood, only because they feared they should not be so unanimous in attempting this Repeal as it was to be wished, and that without such an Unanimity, they thought the Attempt was not likely to meet with Success.' The Question moved being at last put, there seemed to be a Majority of five to one against the Report. The Report being disagreed to, the Lord *Barrington* immediately moved for recommitting it, which was carried without Debate, and with very few

against

against it: Lord *Barrington* then moved, that whereas the Committee had but very few in it of one of the three Denominations of the Dissenters, and not one of the other, in order to preserve a greater Equality, and give the greater Weight to any future Report, some of each of those Denominations should be added to the Committee: Several of the Committee desired to be excused from any farther Service, so that there was not a Quorum left; and soon after all the rest were understood to have excused themselves, except the Lord *Barrington*. One of those that had excused themselves, moved, that a new Committee should be named. The Reasons urged for excusing themselves were different; some declared for their Reason, because the Report was not agreed to; others, Want of Health or Leisure: On the whole, the Question for adding some to the Committee could not be put, because there was not a Committee subsisting. Lord *Barrington* earnestly desired the whole Committee to continue in the Service; and when the Gentlemen who had desired to be excused did not agree to it, about 18 Persons were named for a new Committee, and more were naming; and among them Mr. *Holden*, Mr. *Bance*, Dr. *Avery*, Mr. *Bradley*, and a few others of the former Committee, who were desired and urged by several in the Meeting to take their Places in the new Committee: Mr. *Bance* then said, he would serve, whether others of the old Committee did or no; but that he hoped some Temper might be restored, and that he believed the Gentlemen that had excused themselves in some Warmth, would serve again; provided but two or three new ones were added to them; and others of the former Committee immediately declared they would; so that four more being put up, were unanimously agreed to; and Lord *Barrington* then moved that to avoid the Inconveniencies that attend such numerous Meetings, and so constituted as these two last had been, it should be given as an Instruction to the Committee to report their Opinion to two Persons deputed by every Congregation within the *Bills of Mortality*, which upon a Motion of extending it to ten Miles round London, was unanimously agreed it, and as far as could be judged, approved of by every one in the Meeting.

At this Meeting Mr. *Holden* was in the Chair, and when he delivered the Opinion of the Committee, he was pleased to express himself in the following Manner.

Gentlemen,

Gentlemen,

THIS was the almost unanimous Opinion of your Committee, taken after mature Deliberation, and with a Concern equal to the Importance of the Matters referred to them; as they relate either to the Peace of the Kingdom, the Rights of *Englishmen* in general, or the Protestant Dissenters in particular. And, the better to form their Judgments, they have not been wanting to take in the Assistance of such as are undoubtedly Friends to the Religious and Civil Rights of their Country, and consequently to you; who, for a long Course of Years, have, at all Times, and in all Circumstances, not barely promoted, but also suffered for these valuable Blessings, which, through a kind Providence and an indulgent Prince (whose Glory it is to be the Father of his People) you do at present enjoy; and who cannot be doubted to have it in his Inclinations, whenever the Circumstances of Affairs will admit, to procure for all his Subjects in the most extensive Manner. Your known Attachment to his Royal Person and Family, your persevering Zeal for the Liberties of your Country, your prudent and peaceable Behaviour, will, it is to be hoped, pave the Way and conciliate the Minds of all such who have any real Concern for true Religion and the Welfare of their Country, to promote what is in itself so desirable; and can be opposed by none, but such as are unhappily under the Power of Bigottry, or the Biass of Interest.

Gentlemen,

In the present Situation of Affairs, I can think of nothing so proper to propose to you, as your own Example; who have (it is well known) on divers Occasions, postponed present Advantages for a Publick Good, when Opportunity seemed to invite the laying hold of them. It must be owned, the Returns have not been such as might reasonably have been expected; yet this, though no Argument to you, will, it is to be hoped, be such a Recommendation of you to those in Deference to whom it is for the present laid aside, as to draw very favourable Consequences after it.

Gentlemen,

It is your Unanimity only, that can render you either useful to your Country, or considerable to yourselves; all Discord and Division must weaken your Influence, lessen your Esteem, and, in a Word, render you contemptible;

temptible; which you will therefore carefully avoid, as the most fatal Rock you can split on.

And this new Committee having further consider'd this Affair, and consulted with some of their Friends, upon whose Approbation the Success of their Application very much depended, they came at last to be of the same Opinion with the former Committee, which being reported at a General Meeting of the Deputies from the several Dissenting Congregations on the 29th of *December*, they agreed therewith, and thereupon the Affair was dropp'd.

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THE
Historical Register.

NUMBER LXX.

IN the *Historical Register* N^o LXV. we gave our Readers a Copy of a Pamphlet, which had been published in Germany against the Pragmatick Sanction, entitled, *Reflections of an impartial German Patriot, upon the Demand of a Guaranty of the Imperial Pragmatick Sanction.* As that Pamphlet was supposed to have been wrote by a very eminent Hand, an Answer to it was expected with much Impatience; at last it appear'd in Publick without a Name, but is supposed to have been the Production of Count Schonborn, Bishop of Bamberg and Wurtzburg, and Vice-Chancellor of the Empire, who is esteem'd a great Master of the Laws and Constitutions of the German Empire. We have no Doubt but that our Readers will be curious to see it, and therefore we shall give them a full Copy thereof. It is entitled,

An Examination of the Reflections of an Impartial German Patriot upon the Demand of a Guaranty of the Imperial Pragmatick Sanction.

TOWARDS the End of last Year, there appeared at Ratisbon a printed Pamphlet entitled, *Reflections of an impartial German Patriot, upon the Demand of a Guaranty of the Imperial Pragmatick Sanction.* The Design of this Pamphlet is to raise Doubts in the Minds of the Illustrious Members of the Germanick Body, as to the Order of Succession established with Regard to the Territories of the House of Austria; and to prevent, if possible, the prudent Measures which the Emperor took for establishing

ing the Tranquility and Happiness of his native Country. It is in vain for the Author to disguise himself under a borrow'd Character; the false Zeal he is full of for the Interests of the Empire; the indiscreet Hatred he bears towards its august Chief; and the violent Inclination he shews for a neighbouring Power, expose him so much to View, that he is easily discover'd, notwithstanding the Mask under which he foolishly endeavours to conceal himself. It is nevertheless true, that he expresses himself in such a specious Manner, as may impose upon those who are but little acquainted with the just Views of his Imperial Majesty, or with their own proper Interests; and this is the chief Reason that has prevail'd upon me to undertake a close Examination of those *Reflections*, and to remove those Difficulties which have been form'd against the Authentickness and the Advantageousness of the *Pragmatick Sanction*. Besides, this Affair is become of such Importance to Europe in general, that it cannot be enough cleared up; so that it is doing a Service to the Publick, to set it in as clear a Light as possible.

What is of Importance to know, is, Whether the Emperor had a Right to dispose of the Eventual Succession, with Regard to his Hereditary Countries, in the Manner he has done by his Declaration of the 19th of April 1713; and whether in the establishing of that Law of Succession, he has exactly conform'd himself to the Constitutions and Customs of the Empire.

The Author finds a great deal to object against the Conduct of his Imperial Majesty in these two Points; and to make the Irregularity thereof appear, he endeavours to shew, ' That the Law of Succession which the Emperor has made, is altogether new, and contrary to the Usage of the Empire.

And he pretends further to shew, ' That such a Settlement by a publick Law, is contrary to the Nature and Constitution of the different States, of which the Austrian Dominions are at present compos'd.

From these two principal Points he proposes to himself to discover all the Consequences of the Engagement *contra quoscunque*; and from thence to state this Question, *to wit*, Whether it may be convenient for the Germanick Body to engage in the Guaranty demanded by the Emperor.

In order to overturn those Principles methodically, and to establish such as may be more solid and more just,
I shall

Heads. Being animated by a pure Zeal for Truth, and for the Interest of my Native Country, I shall advance nothing but what is most agreeable thereunto; but at the same Time, I must take Care to render my Expressions conformable to that unbounded Respect, which is I shall reduce what I am to say to the same Number of due to the first Monarch upon Earth; a Duty which the pretended Patriot has neglected, in a Manner as impudent as it is contrary to the express Laws of the Empire. But to come to the Point.

The Author foreseeing that no impartial Man of a quick Penetration could miss taking Notice of the Weakness of his Arguments, does therefore at the very Beginning endeavour to dazzle the Reader's Understanding, by one of the most gross Sophisms that can be made Use of.

‘ The Age of the Emperor, *says he*, which according to the Order of Nature, promises him a long Reign yet to come, was naturally a Motive for not precipitating and pushing a Settlement of such Consequence, if there had been nothing in it contrary to the Laws and Customs of the Empire.

Could it have been ever imagined, that the wise Precautions which his Imperial Majesty has taken, for providing in the most solid Manner, for the Happiness of his Dominions, could have been made Use of, as a Pretext for suspecting the Uprightness of his Intentions? No Prince, who has really at Heart the Prosperity of the States under his Dominion, contents himself with preserving the Tranquillity of them during his own Life; he ought to extend his Views further, and endeavour to make it continue beyond that Term; he ought to provide before hand against every Thing that may disturb them after his Decease. The Emperor seeing himself without any Male Heirs of his Body, after having been marry'd several Years, and wisely foreseeing the Inconveniencies that must from thence inevitably ensue, in case he should happen to die in such Circumstances, Could he too soon enter into a Concert, for taking the Measures which he thought most proper for preventing those pernicious Consequences? If his Imperial Majesty were never to grow older, yet his Subjects could not thereby be sufficiently secured against so unlucky an Event. There was nothing but the establishing of a certain and indisputable Law of Succession, with Regard to his Hereditary Countries, that could possibly insure

insure the Repose, or prevent the infallible Ruin of them. Very far then from drawing odious Inferences from a Step so necessary and wisely concerted, we are obliged to acknowledge therein the honest and effectual Care which his Imperial Majesty has taken, of the Welfare of his Territories, whose Interests are so closely linked with those of the Empire in general: And thus the false Inference which our Author has made, resolves itself at last into the begging of a Question absurd in itself, and unworthy of any Man of common Sense.

The Case is the same with respect to the other Inference, which he draws from the Emperor's having endeavoured to procure the Guaranty of Foreign Powers, as to the *Pragmatick Sanction*, before he asked the Guaranty of the States of Germany. One who is in the least acquainted with the Maxims of true Politicks, must be convinced, that the Emperor was led into, and even obliged to take this Step. The Guaranty of the Empire was not sufficient to secure in an effectual Manner, the Execution of that wholesome Scheme, which his Imperial Majesty had in View, and to prevent the Misfortunes of a bloody War. The Support of Foreign Powers was chiefly necessary for this Purpose. It was even foreseen, that a great many of the German States would regulate themselves, according to the Conduct of Foreign Powers upon that Occasion. And consequently the Emperor, without standing upon ridiculous and dangerous Ceremonies, was bound to catch hold of the first Opportunity, which appeared favourable for inducing Foreign Powers to come into his Views, which were besides most evidently calculated for their own particular Advantage. And as the Introduction of the *Infante Don Carlos* into Italy, furnish'd his Imperial Majesty with such an Opportunity, can any one be surprized, that he made the best Use of it, in a Manner, which was no Way prejudicial to the Rights and Privileges, either of the Empire, or of the different States, which belong to the same. So I leave the Reader to judge, whether it be the Imprudence, or Temerity of the Author, that has had the greatest Share in those injurious and calumnious *Epithets*, which he has dared to ascribe to the Designs of his Imperial Majesty, and of his august House.

After these fine Strokes in the Air, our Author comes to be serious. 'Germany of old, says he, knew no such Thing as the Indivisibility of Great Fiefs; the Possessors

‘seffors either in their Life-time, or by their last Will, made a Partition of them among their Children.’ This he pretends to demonstrate, from the Authority of some learned Men, from Examples found in History, and from the present State of the Empire itself.

Even granting, that this Controversy were to be decided by the Number of Authors, and not by the Weight of their Arguments, our Patriot is much Mistaken if he flatters himself, that it will thereby be decided in his Favour. Besides *Mariana*, *Savedra*, *Schilterus*, *Forsterus*, *Ludolphus*, a vast Number of others could be named, who are for the Indivisibility of Fiefs. It would even be easy to shew, that the Authors whom our Patriot has cited, were not really against the Indivisibility of Fiefs; and that he has not rightly comprehended them, for want of making the proper Distinctions between the different Periods and Epochs of the History of *Germany*. But there is no Certainty in depending upon others, with Regard to a Matter of such Importance. Let us make Use of our own Reason. Let us place before our Eyes, the ancient State of *Germany*, and from thence let us endeavour to determine, whether or no in past Ages, the Right of Indivisibility has taken Place, with Regard to the Great Fiefs.

For this Purpose it is not necessary to penetrate into the dark Recesses of too remote Antiquity. Neither *Tacitus*, nor any one of the ancient Historians, tells us any Thing that’s decisive as to this Point. Let us come at once to the Time of the *Carlovingian* Race. It is certainly true, that the principal Fiefs of the Empire, owe their Origine to those Times. But since at the Beginning, the Possessors of those Fiefs were but as Vice-Roys and Governors, therefore one may easily conceive, that they were not allow’d to dispose of them, as they had a Mind, and to transmit them to their Heirs; and consequently no Argument can be from thence drawn for the Order of Succession, which is now in Question.

It was not ’till After-Ages, that the Right of Succession introduced itself insensibly into the Fiefs, by a Custom which ow’d its Origine to the Cannivance of the Emperors, and fortify’d itself by the Troubles and intestine Wars, which afterwards happen’d in *Germany*, and turned the whole Topsy-Turvy. In those Times, the Possessors began to transmit their Estates to one of their Sons, which generally was to the eldest, in which, they even had some Regard to the Nature of Fiefs,

which

which, according to their original Institution, ought to be the Inheritance of one only. In this Manner began the Right of Indivisibility and Primogeniture among the *Germans*. It was to have been wished, that the Estates of the Empire had always follow'd this salutary Custom; and that after having acquir'd a more extensive Power over their Fiefs, they had never taken the Whim into their Heads, of making those mischievous Partitions, which were then in Vogue, and which brought their Native Country within an Inch of its Ruin. However, it was not long before those very Princes began to feel the sad Effects of the dismembering of their Territories, and being sensible of the Fault they had committed, they began immediately to think of a Remedy for the future, by returning again to the Indivisible Union of their Estates, and establishing it in a more solid Manner, by the Means of Imperial Grants, and Family Conventions, with which they fortify'd themselves for that Purpose: Which is the Occasion, that there are actually but very few illustrious Families in *Germany*, who do not enjoy the Right of Indivisibility and Primogeniture.

I grant, that the Partitions just now mention'd, appear as yet in the great Number of little Fiefs, which are to be found in the Empire; but from thence it cannot be inferred, that Divisibility has been the perpetual Custom in *Germany*.

I come from thence to the House of *Austria* in particular. This Country has always had the Happiness to be governed by Princes of great Wisdom, who have taken a particular Care of the Preservation thereof. *Henry Duke of Austria*, obtain'd of *Frederick I.* a special Grant, by which, among other Prerogatives, he got the Right of Indivisibility and Primogeniture, establish'd in his Family, in Favour of both Sexes. This is the Grant, whose Authentickness our Author darts attack. But though Mention be made of this Grant by Imperial and Contemporary Authors, * yet we may indulge him in what he says for a little; because this Grant is supported by so many others of the same Force, that though it should fail, yet the Order of Succession thereby establish'd would remain unquestionable. The Emperor *Frederick II.* after having in the Year 1246, confirmed the Grant above-mention'd, extended it even to the Estates and Territories

* For Example, in the Chronicle of Augsburg.

Territories that then were, or thereafter should be annexed to *Austria*. *Rodolph I.* *Charles IV.* *Sigismund* and *Charles V.* corroborated it by new Confirmations. And lastly, it has been renew'd by *Ferdinand III.* in his Testament of 1621; and under *Leopold*, by the Partition he made in 1703, between the two Kings his Sons. One must be very ignorant, or very rash, to dare to call in Question a Right which is supported by so strong and authentick Documents.

The Objections started by our Author, against the Extent of this Privilege, are of no great Weight. We shall readily yielded to him, that the Grant of *Frederick I.* is confined to what is called *Austria*. Let him, if he will, cut it off entirely. That of *Frederick II.* and generally speaking, all those which were afterwards made, relating to that Subject, remain in their full Force. In them we find the Extension of that Privilege established in the most express Terms.

The Examples brought by the Patriot for proving, that those Regulations have not been scrupulously observed, are nothing to the Purpose. We must carefully distinguish between what is Fact and what is Law. Besides, it is allow'd to every Man, not to claim the Benefit of a Privilege granted in his Favour. A Prince may with Justice wholly renounce the Succession, as to those Territories he is next Heir to, or he may yield a Part of them to those who have a Right to succeed immediately after him. Of this there are but too many Examples even among those Fiefs, where the Right of Indivisibility is notoriously and publicly received. But this no Way prejudices the Laws and Conditions of Succession, nor does it hinder the Successors, who have a Mind to have the sole Possession of their Territories, to claim the same, in Exclusion of their Coheirs at Law.

The Renunciations of the Arch-Duchesses, Daughters of the Emperor *Joseph*, suggests to our Author a new Example. As Renunciations always suppose a Title, he infers from thence, that those Princesses had really a Title to his Imperial Majesty's Territories. But it is easy to make him understand Reason as to this Point. It is often nothing but a false and presumptuous Title, which gives Occasion to Renunciations, and in such Cases they are only made Use of by Way of Precaution, or according to Custom. Those under Consideration are in some certain Sense superfluous, they being founded upon no Title, supported by any Law whatsoever.

ever. They are only necessary in so far as they serve to take away any Ground of Dispute, which might afterwards have arisen upon that Subject.

Let us come to the last Objection, which our Author makes against the Extent of this Successorial Law. He maintains, that the Emperor has himself, in some Manner acknowledged, that the Countries possessed by him, have in this Respect different Laws; and for Proof thereof, he brings the 18th and 30th Articles of the Treaty of *Rastat*. In the first, the King of France consents, 'That the Emperor should enter into the Possession of the *Spanish Netherlands*, to be enjoy'd by him, according to the Order of Succession, establish'd in the House of *Austria*.' In the last he yields to the Emperor the Kingdom of *Naples*, and the Dutchy of *Milan*, together with all the Rights annexed to the said *Italian States*, in such Manner as the Kings of *Spain* exercised the same, from *Philip II.* to the King last deceased.' But upon a close Examination of those Articles, there is nothing of what our Author pretends to see in them, to be in the least discover'd. There is Mention made of the Manner of Succession as to the Low Countries, but no Mention of that which takes Place in the *Italian States*. As to the last, they make Use only of general Terms, which import neither an Uniformity nor a Diversity, with respect to the Order of Succession in those Countries. Besides, by the 18th Article it clearly enough appears, that there is no Contradiction between possessing those Estates, after the Manner of the Kings of *Spain*, and succeeding to them, after the Manner of the Arch-Dukes of *Austria*, since we find those two Ways of speaking both join'd together, with Relation to the Low Countries, and that the Most Christian King does not consent to the Order of Succession observ'd in the House of *Austria*, 'till after having agreed to the Possession in such Manner as the Kings of *Spain* had it.

From the whole let us conclude, that the Customs of Indivisibility is very ancient in *Germany*, that Primogeniture, as well Feminine as Masculine, has been introduced several Ages ago into the Estates of his Imperial Majesty; and consequently, the Pragmatick Sanction, far from establishing any Thing new in this Respect, is but a Recapitulation, Explanation, and Confirmation of what went before, as is therein expressly mention'd. Moreover it would be easy to shew, that Female Primogeniture is no such rare Thing in *Germany*, or singular in

in the House of *Austria*, as our Author pretends to insinuate. The Dutchies of *Lorrain*, *Juliers*, *Cleves*, *Bergue*, *Brunswick*, and many other Fiefs of the Empire, can bear Testimony; but such an Enquiry would make me wander too far from the Subject in Hand, and make me exceed the Bounds which I have prescribed to myself.

Our Author, in order to establish his 2d Point, supposes that before such a Disposition as what we are treating of, can be looked on as good, it is necessary, 1st, That it be not contrary to any express Law. 2d, That it be made by and with the Consent of all those who are any Way interested therein. 3d, That all the Subjects and Provincial Assemblies confirm it by an Oath. And lastly, That it be likewise confirmed by the chief Head of the Empire. After having laid down these Principles, he maintains, that the Pragmatick Sanction fails in the very first. Let us see if there be any Thing in what he says, and with him let us examine the different Estates possessed by his Imperial Majesty.

Our Author speaks not of *Austria* properly so call'd; he agrees, that the Emperor may *Austria* dispose of it as he thinks fit. 'But, says he, from the Arguments I have mention'd on Occasion of the Constitution of 1156, the same Judgment is not to be formed with respect to *Carinthia*, *Tyrol*, and that Part of *Suabia* possessed by the Emperor, which came not to the Possessor of *Austria* but upon different Conditions, and by Virtue of different Titles, as may be easily proved from the History of each of those Estates.' It appears from what we have before said in Relation to this Privilege granted to *Frederick I.* that tho' it should be entirely given up, yet our Argument is not left without a Support.

The Privileges granted by *Frederick II.* and *Charles V.* have sufficiently supply'd that Defect. These are the Words of the First of the two last mention'd.

Volumus etiam, ut si Districtus & Ditiones dicti Ducatus (Austria) ampliati fuerint ex hereditatibus, donationibus, vel quibuscunque aliis devolutionum successibus, prefata jura, privilegia, & indulta ad augmentum dicti domini Austriae plenarie referantur.

The same Clause is to be found in the Privilege granted by *Charles V.* Moreover, our Author would have done a Service to the Publick, if he had pointed out those different Titles and Conditions upon which *Carinthia*,

thia, Tyrol, &c. were incorporated with *Austria*, and which, according to him, prevent the establishing of any such Law of Succession as that now in Question. We must freely acknowledge that we have been at a great deal of Pains to find any such, but in vain.

Our Author brings two Arguments for proving that the *Pragmatick Sanction* is altogether incompatible with the Rights and Privileges of this Kingdom. 'To consider it, says he, only as an Electorate, it can never be subjected to the Law of Primogeniture as to Heirs Female, but only as to Heirs Male, as all the other Electorates are by Virtue of the *Golden Bull*.

Our Patriot ought to have taken Notice, that *Bohemia*, by being erected into an Electorate by the Emperor *Charles IV.* did not lose those Rights and Privileges which it yet possesses distinctly and different from those of the other Electorates. It is not necessary to enter into a Detail of all those Prerogatives and Singularities. It is sufficient to prove, even by the Words of the *Golden Bull*, that *Charles IV.* had no Intention, by that Constitution, to change the Order of Succession established in that Kingdom, nor to subject it to the same Regulation with the other great Fiefs of the Empire.

Si vero aliquem ex hujusmodi Principatibus ipsorum Imperio sacro vacare contigerit, tum Imperator, seu Rex Romanorum, qui pro tempore fuerit, de ipso providere debet & poterit, tanquam de re ad se & Imperium legitime devoluta; salvo semper Privilegiis & Consuetudinibus Regni nostri Bohemiae super Electione Regis, in Casu Vacacionis, per Regni-colas facienda, juxta Continentiam eorundem Privilegiorum, & observatam Consuetudinem diuturnam à Divis Romanorum Imperatoribus, seu Regibus, obtenturum.

From hence it appears, that the first Argument brought by our Author is founded only upon his most profound Ignorance, as to the Rights of the different Fiefs of the Empire. As to his second Argument, it is the very same. It is surprizing that our Author should cite in Favour of what he advances, the very Clause of the *Golden Bull* which I have just now recited, where it is expressly taken Notice of, that the *Bohemians* have no Right to elect their Kings, but only in Case of a Vacancy, according to the Privileges, Usages and Customs granted by the Emperors or Kings of the *Romans*. These Words are so many Weapons, which he himself puts into my

my Hands, for the defeating of him. There is in *Bohemia* no Imperial or Royal Grant which any Way relates to the present Purpose, but that of *Frederick II.* which *Charles IV.* confirmed some little Time before the Publication of the *Golden Bull.* This is the Clause which relates to the Election of a King of *Bohemia.*

Electionem Regis Bohemix in casu duntaxat & eventu quibus de Genealogia, de Progenie, vel Semine aut Prosapia Masculus vel Femella superstes Legitimus, quod Deus avertat, nullus fuerit oriundus, vel per quemque alium modum vacare contigerit, ad Prælatos, Duces, Principes, Barones, Nobiles, & Communitatem Regni & Pertinentiarum ejusdem pertinere.

The Emperor's Title being thus founded on antient Laws and Constitutions, he has no Occasion to take hold of the Right of Conquest for supporting in that Kingdom an Order of Succession which has been in Use for so many Ages, and it will be in vain for the *Bohemians* to flatter themselves with the Hopes of recovering, *Jure post liminii*, the Possession of a Right of free Election, as long as there are Children Male or Female of the House of *Austria*, capable of succeeding in that Kingdom.

In past Ages there have been sharp Disputes about the Order of Succession established in this Dutchy. It is true that the Male Heirs of *Matthias Visconti*, who, after having possessed himself of the Government of this State, was confirmed therein by *Henry VII.* preserved their Succession for the Space of a whole Century. *Wenceslaus* erected it into a Dutchy in favour of *John Galeas*, and his Male Descendants, as appears by his Letters of Investiture. But the Male Line having afterwards failed in the Person of *Philip-Mary*, *Charles Duke of Orleans*, and *Francis Sforza*, claimed it by Right of Succession, the first in Right of *Valentine* his Mother, who was Daughter of *John Galeas*, and the last in Right of *Mary Blanch* his Wife, who was natural Daughter of the last Possessor. Tho' the Emperor *Frederick III.* at the same Time contended that that Fief was devolved to the Empire, yet he contented himself with making Protests, whereas the other Competitors came to Blows. Fortune favour'd sometimes the one, sometimes the other, 'till at last, *Charles V.* depriv'd the French of it, on Account of a Murder, and the Family of *Sforza* becoming extinct a little after in the Person of *Francis Sforza*, he invested

his Son *Philip II.* therewith, and put an End to those Disputes which had been carry'd on 'till then with so great Animosity and Effusion of Blood, by the following Clause, which he inserted in his Letters of Investiture of 1549.

Deficiente vero Linea Masculina, succedat & succedere debeat in dicto Mediolanensi Dominio & comitatibus Papiæ & Angleria, cum eorum Pertinentiis, filia Primogenita, ejusdemque Primogenita Primogenitus Masculus; idemque ordo Successionis intelligatur & servetur in secundo, tertio, & quarto Gradu, Genitis Filiabus, ita ut alii filii, aut filia, nullum jus pretendere possint ad Ducatus & Comitatus.

This Grant was confirmed by *Ferdinand I.* *Ferdinand II.* and *Leopold.*

This is a short Historical Deduction of the Manner of succeeding in the *Milanese*; from whence it appears that it would be false to say in general, that in that Dutchy the Lineal Cosenage Succession has been always observed. It must nevertheless be granted, that by the Investiture of *Charles V.* the Descendants of *Mary Theresa* would have had the Right to that Dutchy, after Failure of the Heirs Male of the *Spanish* Branch of the *Austrian* Family in the Person of *Charles II.* But the Court of *Spain*, being afraid that *Spain*, with all the Countries belonging, should one Day be incorporated into the Kingdom of *France*, have always used all possible Means to prevent so fatal an Union. This was the Reason, that after having, by several Family Compacts, disposed of that great Succession in Favour of the *German* Branch, they in further Security, obliged *Mary Theresa* to renounce both for herself and her Descendants, all the Right that she could ever claim to the same. Consequently neither she nor her Posterity ever had any real Right to succeed to the *Milanese*, but only the Grandmother of his Imperial Majesty.

It is agreed, that the Article of the Treaty of *Baden*, does not imply a Cession or Renunciation; to tell the Truth, it is nothing but a Restitution of a Country that had been unjustly usurped. But even supposing that it were to be taken as a tacit Cession, which may be supposed, let it be what it will, yet certainly even to take it in that Way, it is more than sufficient for avoiding a Right, which without that Cession has no real Foundation, and which exists no where but in the Imagination.

Our

Our Author mistakes it very much, when he imagines that the Dutchy of Milan, by being one of the great Fiefs of the Empire, falls within the Engagements which the Emperor has enter'd into by the second Article of his Capitulation, for re-uniting all such Fiefs to the Body of the Empire, for the Support of the Imperial Dignity. Does not that Article presuppose the Case of such a Fief's being become vacant? And this Dutchy being a Female Fief, as has been already shewn, can it be presum'd, that it will become vacant upon the Death of this Emperor?

The Emperor has got that Territority by a Title most just in itself, and by the same Title he may transmit it to his Descendants, without any Infringement upon the Rights of the Empire. The Cession which France made as to it, was founded upon the indisputable Right which his Imperial Majesty had to it; consequently our Author has no Reason for asking the Question, *If it can be supposed that that Cession could prejudice the Rights of the Empire, or that the Empire by its general Ratification of that Treaty design'd to give up any Right; or that such a Ratification without a formal Clause for that Purpose, can extinguish an express Engagement contain'd in the Imperial Capitulation?*

Moreover, why is it to be supposed that the Emperor has given the Investiture of that Dutchy to the Arch-Dutchess his Daughter? The Resignation made by France to the Emperor, the Ratification of the Empire in Favour of his Imperial Majesty, the being in the actual Possession of that Territority, and the little Likelihood there is that the Emperor would in his Lifetime, and while he is in Hopes of having Heirs Male, dispose of that Fife in Favour of one of his Daughters, who, without any such Disposition, is intitled to succeed thereto in Case the Emperor happens to die without Heirs Male; do not all these Circumstances testify the contrary? There is no Reason, there is not so much as an Appearance of Reason, in Favour of such a Supposition.

The anticipated Fears which our Author pretends to be seized with, in Relation to his Imperial Majesty's future Son-in-Law, sufficiently shew the Spirit with which he is animated, and the Design he drives at, Being reduced to such Extremities, he at last makes Use of any Shift, and takes hold of the Answer which *Maximilian* made to *Lewis XII.* who endeavoured to make good

good the Right of his Wife to the *Milaneze*. *Lewis cannot, according to the Laws and Customs of the Empire, be the Heir to the Milaneze, for the Fiefs of the Empire never go to Females.* At the Time when *Maximilian* made Use of this Argument, the Order of Succession was not establish'd in this Dutchy, and we agree with *Goldastus* and other learned Civilians, that while there is any Doubt as to the Order of Succession, we ought to determine in Favour of Heirs Male; but is it possible that any Doubt can remain, after the formal Declaration of *Charles V.*?

In these Estates the Female Heirs have *Naples and Sicily.* always been admitted to the Succession. The Reigns of *Constantia*, of *Joan I.* and *Joan II.* Queens of *Naples*, and *Mary* Queen of *Sicily* are Testimonies thereof. What is more in this Case, the Possessors of the two *Sicilies*, have always freely disposed of the Succession to their Kingdoms, as appears by the Testament of *Robert* in Favour of his Granddaughter; by the Adoption made by *Joan*, in Favour of *Lewis* Duke of *Anjou*; and many other such Dispositions made by the Kings of *Naples* and *Sicily*, *nemine contradicente*. For these Reasons the Emperor is well entitled to the Exercise of a Right, which the Kings his Predecessors have always enjoy'd: And supposing that these Kingdoms were really Dependencies upon the Holy See, which, however, is very doubtful, the Pope has no Reason to complain of any Irregularity or Innovation made by the *Pragmatick Sanction*. The Digression here made by our Author as to the Guaranty against the See of *Rome*, is very improperly brought in, as well as the Reflection he throws upon the Government of his Imperial Majesty in *Italy*.

It is granted that the *Hungarians* enjoy the *Hungary.* Privilege of a free Election, upon the Failure of Heirs Male of the Royal Family, by Virtue of the Regulation made by King *Andrew*, which was confirmed by the Emperors *Leopold* and *Joseph*, and by the Amnesty granted by his Imperial Majesty in 1711; but at the same Time it ought to be granted, that that Nation has renounced that Privilege, as often as ever the Heirs Male of the Royal Family came to fail. Can it then be doubted, that it was not their Interest to do as much at the present Juncture, in Favour of a Princess of the House of *Austria*, or that their having

ving actually consented thereto, did not give the Emperor a Right to name his Successor?

These Countries have always been Patrimonial and Hereditary, the Possessors *Netherlands*. have had a Right to make, as to them, such Successorial Dispositions, in Favour of their Heirs, as they judged to be agreeable to the publick Good, and for their proper Interests. *Charles V.* in his Constitution of 1549, founds himself upon this Right. *Nos per pragmaticam sanctionem super jure successionis universalis harum Provinciarum inferioris Germaniæ, patrimoniali ac hereditario jure ad nos pertinentium, providere velle, &c.* Can it be deny'd, that his Imperial Majesty, as Head of the Family, has the same Power, as to these Countries, and that he may dispose of the Succession in Favour of his Posterity, in the same Manner as *Charles V.* disposed of it in Favour of his; it being necessary for the Advantage of the Low Countries, as well as for the Interest of his Imperial Majesty's Family, that it should be so. This is in so far the more certain, because the Difference that there is between the Order of Succession in these Countries establish'd by *Charles V.* and the Order now established by his Imperial Majesty, is of no Importance, the two great Points of Indivisibility, and a Right of Succession as to both Sexes, being establish'd both in the one and the other. As to the little Importance of any Differences that there may be, the famous *Ludolphus* is of the same Opinion, *Solum illud firium familiarum pacta raro unius tantum articuli gratia fieri. Sunt inter eos alii Principales, alii Accessorii; illi mutationem facile non Recipiunt, hi faciliori negotio.* Finally, what does it signify, whether the Resignation of the Low Countries made by the Treaties of *Baden* and *Rastad*, implies a tacit Acknowledgment of the *Pragmatick Sanction*, or not? *France* has never yet been burthen'd with a Guaranty of the Order of Succession establish'd in those Countries, and it will be in vain for them to pretend that they are by the above mention'd Treaties become Guaranties of the same.

What we have before said, seems to be sufficient to shew, that the *Pragmatick Sanction* is not contrary to the Nature and Constitution of most of the Estates possessed by his Imperial Majesty. But besides, if it be true that there are some of them, whose Laws and Customs seem in some Manner to be alter'd thereby, it may be said, that according to the various Forms of Government among

among them, that Defect has been supply'd, and all pretended Irregularities or Informalities remedy'd, in some, by the Consent of the Party truly interested, and in others by the Consent of the Subjects and Provincial States. This Consideration leads us naturally to the Examination of the 2d Point in Dispute, to wit, *The Consent of the Parties interested.*

Our Author does not touch upon the Validity of the Renunciations made by the two *Josephine Arch-duchesses*. But, says he, *the Consent of some of the Parties interested is not sufficient, they ought to have the Consent of all.* Thereby requiring, besides the Renunciations already made publick, that of his Imperial Majesty's youngest Daughter, and that of the Queen of Portugal and her Children; and he maintains, that *by the Omission of these Renunciations, the Empire cannot, without a very great Risque, and without authorizing a total Breach of its Constitution, guaranty the Pragmatick Sanction.* In Place of supposing a Necessity for such Renunciations, it must be proved that the Archduchesses above mention'd may lawfully pretend a Title to the Succession of the *Austrian Netherlands*, and that upon such Account they have truly an Interest therein. When Indivisibility and Primogeniture are found to be establish'd in any Country by express Laws, which at the same Time admit Females to the Succession in Failure of Heirs Male; but however, without clearly expressing the Order of Succession with Respect to the Heirs Female, it is to be presumed, that the same Order, which in the like Case would have been observed as to Male Heirs, ought likewise to be observed as to Female Heirs in Failure of Male. The illustrious *Grotius* is of the same Opinion: *If there be, says he, a Regulation which bears that the Kingdom shall be indivisible, yet does not name the Successor, the eldest Male or Female ought to succeed.* Let us apply this Maxim to the present Case. It is notoriously and publickly known, that Indivisibility and Primogeniture are establish'd in every one of his Imperial Majesty's Territories, and farther, the Females are called to the Succession in Failure of Heirs Male, in every one of those Estates, except only in *Hungary*. But it is supposed that the first Authors of these Dispositions forgot to express themselves in a Distinct enough Manner, as to the Order of Succession, with Respect to their Female Posterity. This being premised, ought we not to ascribe to the Arch-duchess, eldest Daughter of his Imperial Majesty,

Majesty, the same Rank which would have belonged to an Arch-duke in the Succession to the *Austrian* Estates? Would any other Princes of that House have for the present any Right, or any real Interest in the Heritage? There are very learned Authors * who are even of Opinion, that the Consent of the Heirs is not very necessary for introducing the Right of Primogeniture into any Fiefs; and that the Father has an absolute Right to dispose thereof after his Death, providing such Disposition be confirmed by the Lord of the Fief. From whence it follows, that neither the Renunciations of the *Josephine* Arch-dutcheßes, nor those of the other Princesses of the House of *Austria*, are absolutely necessary; and that there was no other Motive for the Renunciations that were made by the first, but only an Excess of Precaution, or a Custom which never can acquire the Strength of a Law. We may here say with the famous *Ludolphus*, *Solent fieri illustriarum Filiarum renunciaciones non modo ad Exclusionem Filiarum à paterna hereditate obtinendam, sed etiam solennitatis gratia, & consuetudinis. Nam etsi non renunciarent Filia, tamen forent exclusæ à successione non territorii modo, sed & reliquæ siquæ sit hereditatis, paternæ fraternæque.* As to what relates to *Hungary* in particular, as the Succession of Females in that Country depends upon the free Consent of the Nation, that Princess only, in Favour of whom the Nation has granted their Consent, can form any lawful Pretension to the Succession, none of the others are any Way interested therein; it would be ridiculous to require a Renunciation from them upon that Head.

After having made it clearly appear that the Consent of the Arch-dutcheßes, whose Party our Author has embraced, is no Way necessary for confirming the *Pragmatick Sanction*, it is needless to take Notice of those Difficulties which he has started with Respect to their Renunciations, in order to shew, as he has pretended to do, what easy Methods may be found out, for entirely removing those Difficulties.

We come now to the Consent of the Subjects and Provincial States. Our Author now forgets that in laying down this as one of the necessary Conditions, he required an Oath from the Subjects. However, we pardon this Defect in his Memory the more willingly, in that he has thereby saved us the Trouble of refuting one Error less than we otherwise would have had to refute.

We have already shewn, that the *Pragmatick Sanction* is exactly conform to the Order of Succession that has been always receiv'd in *Austria*. It is, besides, certain, that the Consent of the Subjects is not usual in Patri-monial and Hereditary Estates, with Regard to a Successor's Regulation. The Emperor may therefore, upon this Occasion, justly omit asking the Consent of the Provincial States of *Austria*, or of the Provinces annexed thereto. For which Reason we shall not enter into an Examination of those Examples brought by our Author, which moreover can prove nothing, since they have no Foundation in Law. It is often a Politick among Sovereign Princes, to do Things which in the Rigour of Law they are no Way bound to do; the Demand of the Consent of the States of *Austria*, made by *Rodolphus* and *Matthias*, must, without Doubt, be reckoned in the Number of such, as long as the contrary is not prov'd.

Our Author likewise asserts, that the Consent of the Subjects and Provincial States, is necessary in *Bohemia* and *Hungary*. But from what we have said in Relation to *Bohemia*, it plainly appears, that the *Pragmatick Sanction* is no way repugnant to the Rights and Privileges of that Kingdom, and from thence it is natural to conclude, that the Consent of the Subjects thereof, is no way necessary for the Confirmation of the *Pragmatick Sanction*, since it regards only a Settlement which is founded upon the Imperial Laws and Constitutions only, and not at all upon the free Consent of the *Bohemians*.

To tell the Truth then, there is no Place but *Hungary*, where such a Consent is indispensably requisite. Accordingly, the obtaining of that Consent has not been neglected, and the Cardinal *Czacki* was deputed by the States of that Kingdom in 1712, to carry the same to the Court of *Vienna*. This is a Publick Fact, which no Man will dare to dispute: Our Author, it is true, insinuates, that That Consent has nothing but the outward Appearance of Liberty, being at the Bottom nothing but the Effect of an absolute Authority, which none of the Parties concerned durst openly oppose. But in Place of this gratis Supposition, he ought to have demonstrated by very strong Reasons, that the Emperor induced the States of that Kingdom to grant such Consent either by Fraud or Violence, or by an unjust Fear, which it is in his Power to do, the whole World being convinced to the contrary. On the other Hand, may we not say with the *Historicus Pufendorf*, That Agreements made for

for Fear of, or out of Respect to a lawful Authority, or out of Deference to any particular Person, to whom one is extremely obliged, remain in full Force. The Proteftations that might have been made upon that Head by a small Number of evil minded Persons, can never annul or vacate the Act of the whole Nation, fo that People can have no juft Ground to fear the Confequences that may enfue from thefe vain Efforts.

As every Thing that paffed within the *Auftrian* Dominions, in Relation to the *Pragmatick Sanction*, was tranfacted openly before the Eyes of the whole World, and the Proofs thereof being in the Hands of every particular Person, we cannot conceive how it can with any Juftice be required, that the Emperor fhould produce before the Dyet fuch Sort of Documents. Has not the Notoriety of the Thing been fufficient for the Foreign Powers who have taken upon them the Guaranty of that Imperial Conftitution? And without any other Proofs, is it not fupposed by the 2d Article of the Treaty of *Vienna*, that this Consent was moft juftly and authentickly obtain'd?

Thus we are now at laft come to the Confirmation of the Emperor and of the Empire, which our Author believes to be neceffary for the Validity of a Succelforial Law. We fhall freely grant, that for introducing fuch a Law newly made by a Family Compact, into a Fief which holds of the Empire, the Emperor's Letters of Confirmation are indifpenfably neceffary. But the Queftion here is not about any Settlement, that is new and made by a private Party; the *Pragmatick Sanction* does not alter the Order of Succeffion, which has been eftablifhed in *Auftria* for many Ages. In this Cafe our Buſinefs is to know, if the Emperor, as a Prince of the Empire, has Occaſion for fuch Letters of Confirmation, for renewing and confirming Laws and Privileges which are very ancient, and which flow from the Imperial Authority; which, we imagine, no Perſon will affirm. Beſides, we cannot reaſonably doubt; but that the *Pragmatick Sanction* implies fuch a Confirmation in itſelf. For rendering fuch Settlements valid in any Fief, there is nothing more neceffary, but that the Lord be therewith content; and that the Vaſſal do nothing that may tend towards a Contempt of him. When both the Lord and the Vaſſal are comprehended in one Perſon, can any one form to himſelf the Notion of an Oppofition in any Meaſure which fuch a Perſon thinks proper to take.

As for the Consent of the Empire, it is superfluous in any such Case as that now before us. There is no Law nor Constitution in Germany, which makes such a Consent necessary. The Examples brought by our Author are of no Weight as to the Proof thereof. One Effect may have several Causes; and we even find, that in most of the great Fiefs, the Empire has not been consulted upon their establishing the Right of Primogeniture. We must here add a Remark, opposite to that which our Author has made upon this Occasion. It is this; that the Emperors of the House of *Austria*, have not been themselves the Authors of those Benefits and Prerogatives with which the Possessors of that Territory have been endow'd; but that the Possessors thereof are for them indebted to the Emperors of the House of *Suabia*, who granted them those Benefits and Privileges in Consideration of the great and important Services which they had perform'd in Favour of their Native Country; and consequently there is no Reason for saying, that in fortifying themselves with those Privileges, they acted as *Judges in their own Cause*.

Our Author returns once more to the Charge. After having used his own Weapons, he borrows from two famous Civilians, whose Understandings we infinitely respect. Let us see if they are fit for him. *Ludolphus*, in his Treatise of *Primogeniture*, proposes to himself the following Question: *Of two Brothers, says he, Possessors of different Estates, one dies without Children, his Estates go to the other: Ought such Estates, after the Death of the last Brother, to go to the eldest of the Children, or ought they to be divided among them?* He decides, that if these united Estates have been before separately possessed, and the Union be not made with all the Forms necessary in the Rigour of Law for making them one Inheritance, they must of new be divided among all those who have an equal Right, and that the eldest cannot justly pretend to exclude the younger Children. But neither does the Case put by this Civilian, nor his Decision thereupon, quadrate with the Question in Hand. This learned Gentleman is talking of an Estate where the Law of Divisibility is received; but this cannot be said of the *Austrian* Estates, where an indivisible Union has for Time out of Mind been established upon unmoveable Foundations, as has before been demonstrated. It is the same as to the Passage in *Grotius*, l. 2. ch. 9. § 9. which our Author lays hold of as favourable for him. That a Judgment may be

be form'd of it with the more Justice, we shall recite the whole. *It happens sometimes, says he, that two Nations are united in one; and then their Rights are not extinguish'd; but what each had, is enjoy'd in common. The same Thing must be said of two Kingdoms joined together, not by a simple Confederacy, nor because they come both to be under the same King, but joined in such a Manner, as to be confound together, and really make but one Kingdom.* This illustrious Author does not here treat of the dividing again of several Estates, after they have been once under one Head. It is manifest from what immediately precedes, that his Discourse turns upon the Form of Government establish'd in each of those several Estates. We agree, that the Possessor of such Estates has no Right to make any the least Alteration therein. But these Rights, cannot they remain the same under the Government of one single Person, as under that of many? And after what we have advanced upon this Head, can it be reasonably said, that the Emperor has encroached or broke in upon the Rights and Privileges of any of his Estates?

We come last to touch upon that great Question, to wit, *Whether it be convenient for the Germanick Body to engage in the Guaranty of the Imperial Pragmatick Sanction?* The first Reason brought by our Author for putting a Negative upon this Question, is, *That the Empire, from whom this Engagement is demanded, is ignorant who is to be the Person whom the Emperor is to choose as a Husband for the eldest of the Arch-dutcheffes his Daughters, and consequently whether this Son-in-Law may be capable of holding any of the Fiefs of the Empire.* To this it is answer'd, That for taking to themselves the Burthen of such a Guaranty, it suffices to be assur'd, that it is in itself just and advantageous. They surely may allow themselves to be ignorant of some accidental Consequences, providing that they be not such as may be destructive of the End principally proposed: And this is certainly true as to the Case now before us. On the other Hand, they being convinced of the great Wisdom and sincere Intentions of his Imperial Majesty, by so many signal Marks he has given thereof in the Course of his Reign; they cannot therefore doubt but that he will choose a Son-in-law worthy of the Choice, and of the vast Fortune that is design'd for him.

Being assured by undoubted Proofs, that the *Pragmatick Sanction* is conform to the most strict Rules of Law, and

and that it does no Prejudice to any Person whatever, it is not to be conceived how our Author can have the Assurance to say, that the Empire, by guarantying of this Regulation, takes upon itself to determine as to the Right of a third Party. It is in vain for him to press so much a Maxim in Law, which will always hold true in the general, but has no manner of Concern in the present Case. Moreover, the Reflection added by our Author, *That the Emperor will thereby expose Germany to the Misfortunes of a bloody War*, has no Sort of Foundation, if it be supposed, as it ought to be, that he, by his Conduct gives no Cause for the same. But if it should unluckily happen, that any Foreign Power makes Use of this ridiculous and frivolous Pretext, for breaking with his Imperial Majesty, he no way contributes thereto; and as any Violence offered to his Imperial Majesty upon this Head, would tend to nothing less than the causing the Ruin of the Empire, and overturning the System of *Europe*, would not the States of *Germany* be obliged to become Partics in the Quarrel, even tho' they were no Way obliged thereto on Account of this Guaranty? Would a War so just and necessary be contrary to the Imperial Capitulation? In this View of the Affair, the Emperor seems to have good Reason to endeavour, by his Representations, to persuade the Members of the *Germanick* Body, not to insert in the Resolution of the Empire, upon the accepting of the Guaranty in Question, any threatening Clause, such as that just mentioned, because such a Clause, being entirely useless, would serve for nothing but for giving one Day a Handle for Chicane and for sinister Interpretations, which is against the Spirit of such an Engagement.

Our Author is much in the Right to explain himself more clearly as to the Rights of a third Party. By *what Right*, says he, *can the Empire determine against the Privileges of States, which tho' they now belong to a German Prince, and to the Head of the Empire, may one Day, by an Effect of their natural Liberty, have no longer any Connection with Germany? And have not the same States good Reason to complain, when they see the Germanick Body arrogate to itself a Chimerical Right, and set itself up as a Judge in Matters which are not within its Jurisdiction?* But we have nothing to do with this Explanation. We have sufficiently refuted the false Principles which must be here supposed; and whatever is said by

by our Author upon such a Foundation, must of itself fall to the Ground. Can it be said, that the Empire sets itself up as a Judge of the Rights of a third Party, when it expressly engages to maintain and defend them against whoever shall dare to violate them, or to impede the Effect of them? Does *France* decide as to the Rights which the Duke of *Brunswick* has to the Territories he has in *Germany*, when it guaranties them to him by the Treaty of *Hanover*.

The Pragmatic Sanction is altogether conform in every Respect, as well to the 11th as to the 2d Article of the *Caroline* Capitulation. The Emperor does not establish any new Laws; nor does he grant the Investiture of any vacant Fiefs.

This Law is likewise perfectly agreeable to the Clause of the 6th Article; the Treaties made with Foreign Powers is so far from being contrary to the Interests of the Empire, that they evidently tend to prevent a War, which could not fail of putting the whole into a Combustion. It is of the utmost Importance to the States of *Germany*, that the *Austrian* Power be not too much weakened, and put out of a Condition of defending them against the Insults of their Enemies, as well within as without the Empire. It sufficiently appears, that the House of *Saxony* was formerly sensible of this Truth, by the Answer which *John George IV.* made to be given to *Mr. de Kuch*, Plenipotentiary from the Elector of *Brandenburg*, at the Congress of *Coibus*, * *Certo statuendum hac tempestate, a conservatione Austriaca Domus Imperii quoque salutem pendere, ac utriusque rationes inseparabiles esse, nec Electorum ac ordinum statum absque ea Domo consistere posse. Nam Gallum non prius cessaturum, quam Diademata Casareum in se traxerit, quo obtento, Germania ordinibus idem Jugum subeundum quo Galli gemunt. — In eadem sententia Bavarum quoque esse.* The Foreign Powers were of the same Sentiment at the Time of the Conclusion of the Peace of *Utrecht*, and judged that the Balance of Power could not be better preserved in *Europe*, than by extending the Power of the House of *Austria*, by re-uniting the *Spanish* Monarchy to that House. We say but too much of the dismal Consequences which ensued from the Weakness of that House in the past Age.

* See the Life of *Frederick William*, by *Puffendorf*, lib. 2. cap. 79.

Age. *Germany* has more than once been in Danger of becoming a Prey to the *Turks* and the *French*, and the System of *Europe* did then narrowly escape one of the most fatal Catastrophes. It is true, the Emperor did not consult the Empire about the Successorial Law in Question; but it does not from thence follow, that that Law is prejudicial to our native Country. Can any one doubt but that his Imperial Majesty might of his own Head take such Measures as were agreeable to the Good and to the Security of the Publick.

It is not to be feared that this Guaranty will embroil the Empire with any of the great Powers of *Europe*. We grant, that the Tranquillity thereof is founded on the maintaining the Treaty of *Baden*, and that the Exactness of the Observance of Treaties is judged of in a great Measure, and in most Cases, by the Manner in which People conform themselves to that Spirit which is the Basis thereof. But it is not deny'd, but that that Treaty which we have now mention'd, has for its Basis a general Order of Succession, such as is now wanted to be established. There is no good Argument can be alledged for proving that the contracting Parties had other Views: And granting that *France* formed to herself some particular Notion as to that Affair, she ought to have expressed herself in a more clear and less ambiguous Style in an Affair of so great Consequence. The Parts of that Treaty which we have above examin'd, contain nothing from whence the least Colour of Argument can be drawn for establishing or acknowledging two different Orders of Succession as to the *Austrian* Dominions. The Emperor and his high Allies employ'd more Circumspection with regard to what was established relating to the Succession to the Crowns of *France* and *Spain*. They took Care that the most clear and express Terms should be made Use of for preventing the Union of those two Monarchies; and consequently the Division of those two Monarchies can never be made Use of as any Argument for a Division of the *Austrian* Territories. It is even to be presumed, that the Treaty of *Baden* implies such an Union of those Territories as there was at the Time this Treaty was concluded, because that System then appeared the most consistent with the Publick Tranquillity. We have too good an Opinion of the great Wisdom and fair Dealing of the *French* Ministry, to believe that they will ever make Use of

Pretext so very ill founded, for disturbing his Imperial Majesty's Posterity.

It is however certain, that if *France* should come to fail in the Performance of the Engagements enter'd into upon that Occasion, the Emperor would have just Reason to complain thereof, and to endeavour to persuade the States of *Germany* not to suffer the *French* with Impunity to make a Jest of an Engagement, upon the exact Observance of which, the Balance and Tranquillity of *Europe* depend. But can it with the same Reason be said, that the Members of the *Germanick* Body are oblig'd to make Remonstrances to his Imperial Majesty against a Regulation, just and valid in itself, and which visibly tends to the Welfare and Preservation of the Empire.

To whatever Degree of Power the Emperor's future Son-in-Law may arrive, it is not to be feared, that he will thereby be in a Condition to open to himself a Way to the Crown of King of the *Romans*. It may be that *Charles V.* furnish'd *Ferdinand* with the Means of arriving easily thereat, by yielding to him a Part of his Dominions, and that the Weakness of our Ancestors prevented their opposing his Accession with any Success; but it must also be allow'd, that the Empire has since that Time very much changed its Condition. The illustrious Members thereof would not now so easily allow themselves to be intimidated. Besides, if it should actually happen, that they should think it proper to raise his Imperial Majesty's future Son-in-Law to the Dignity of King of the *Romans*, the Article of the *Caroline* Capitulation, That no King of the *Romans* should be chosen without a Necessity for so doing, would be punctually executed. If the Case should happen, it would in all Appearance be because of their being reduced to a greater Necessity than that which oblig'd *Charles V.* to associate his Brother with himself in the Government of the Empire.

We are not ignorant of the Fate of Testaments or Dispositions, relating to Subjects of so great Importance; but we also know by Experience, that there have been as many, and even more bloody Disputes about succeeding to Intestates. Successorial Dispositions do not of themselves give Occasion to such Disputes. An insatiable Desire is the great Source of these violent Extremities. From the Moment that Passion has taken Possession of the Soul, People no longer consult what is right;

right ; without any Difficulty they overleap the most shocking Obstacles, and they give themselves no further Concern about what is just or unjust.

May Heaven avert from our dear Native Country such fatal Events ! May the Life of his Imperial Majesty, which is so precious to every true Patriot, be extended beyond the Ordinary Limits of the Life of Man, to the End that by his sincere Endeavours he may be in a Condition happily to accomplish those useful Measures which he has begun to take for establishing and securing our common Happiness and Tranquility ! But at the same Time, let us not neglect contributing all that is in our Power towards the Success of his lawful Designs. The Immutability of Providence affords no Excuse for Sluggishness ; according to the Rules of true Philosophy, the Necessariness of the End ought to be no Argument for not using the Means conducing thereto.



P O L A N D.

THIS Kingdom, though very considerable in itself, has for a long Time afforded no Occurrence worth troubling our Readers with. Tumultuous short-liv'd Dyets, broken up in Disorder, after a Day or two's Sitting, is all we have lately received from thence. But the Scene of Affairs there is now changed ; the sudden Death of the late King having drawn the Attention of all Europe thither, on Account of the usual Intrigues there for the Election of a new one. We shall first relate the Manner of that Prince's Death, and then give some Account of the very singular Constitution of this Kingdom and Republick, which will give some Light into the Narrative of what has happen'd since his Death.

The late King being in Saxony, his hereditary Dominions, had summon'd an extraordinary Dyet to meet at *Warsaw* in Poland. His Presence there being necessary, he made Preparations for a Journey thither.

His Majesty found himself, indeed, in a bad State of Health before he left *Dresden*, and some of his Ministers advised him to put off his Journey ; but he told them, *That he was very sensible of the Danger he should run ; but he must have more Regard to his People than to himself.*

Accordingly he set out from *Dresden*; but upon the 12th of *January*, in getting out of his Travelling Coach, in the Evening, he had the Misfortune to hurt his lame Foot, in the very Place where his old Sore was, which thereupon open'd again, and he lost a great Quantity of Blood. The Wound was instantly dress'd; but the King was in excessive Pain, and had a very bad Night. This Accident, however, did not hinder his Majesty from proceeding on his Journey: He arriv'd at *Warsaw* the 21st, but very much indisposed. The next Day and the Day after, he found himself somewhat better; and there were great Hopes, that the unhappy Accident which befel him at *Crossen*, would not be attended with any dangerous Consequence: His Majesty even flatter'd himself with those Hopes; and that his Malady might not be thought worse than it was, he appear'd every Day for some Hours at the Window, to see the Guards perform their Exercise. The 28th and 29th, the King found himself worse: His Majesty could not admit to an Audience the Deputies of the Nuncio's who were come into the Antichamber for that Purpose, because the Condition he was in, did not permit him to receive so numerous a Deputation in his Chamber; whereupon the Deputies retir'd. The Fever increasing, and the Sore beginning to mortify, his Majesty dismiss'd his confident Ministers and Attendants, after having talked to them in private for some Time; and finding that the fatal Hour was at Hand, he resolv'd to abandon the Affairs of this World, in order to give his whole Attention to Eternity. The Abbot de *S. Germain*, the King's Confessor, was very assiduous in attending his Majesty, administering to him all the Spiritual Comfort he could, and fortifying in him the Christian Disposition his Majesty shew'd in his last Moments. The Abbot having asked his Majesty, if he had any Thing to communicate and confide unto him, the King return'd for Answer, *That during the Course of his Life he had frequently offended God; that the Weakness he was under, did not permit him to enter into the Particulars of his Offences; but as he was truly penitent, and sorrowful for his Sins, he hoped that the Almighty would forgive them.* Upon this Declaration, the Abbot gave his Majesty the Absolution. A little before the King expired, he laid one of his Hands upon his Eyes, and in that Posture departed this Life, *Feb. 1, N. S. 1733.*

Immediately after the King's Death, the Primate sent for all the Senators and Ministers who were at *Warsaw*, in order to deliberate upon the Situation of the Affairs of the Kingdom. That Prelate, in a pathetick Discourse suitable to the Occasion, admonished them to divest themselves of all Hatred and Partiality, and to have no other View than the Welfare of the Kingdom; and his Speech had the desired Success.

The illustrious House of *Potocki*, was reconciled to that of *Sartoriski*; *M. Poniatowski*, Regimentary of the Crown, addressed the Palatine of *Kiow* in the following Words: *The Post of Great General, with which the late King had the Goodness to honour me, has caused some Difference between us; now his Majesty is dead, we are upon the level; the new King will dispose of it in Favour of the Man he thinks most deserving; let us forget what is past, and become good Friends.* The Palatine immediately consented to it, and those two Lords embraced each other with great Marks of Friendship. There happen'd, indeed, some high Words between Prince *Wiesnowski* and the Count *de Tarlo*, Palatine of *Lublin*; the former offer'd even to draw his Sabre upon the Palatine; but the Primate found Means to appease and reconcile them, *M. Thioli*, whom the late King constituted Post-Master-General, was admitted to that Conference, where he declared several Things to the Satisfaction of the Senators, and was continu'd in the Possession of that Office.

On the 2d, the Senators and Ministers being assembled at the Primate's, it was resolv'd to summon the Petty Dyets for the 23d of *March* next, and the general Dyet for the 27th of *April* ensuing; but we are assured, that the latter will only settle the Preliminaries, and that the Election will not take Effect 'till the Month of *August*. The 3d, the Deputies or Nuncio's being assembled, the Primate notify'd to them the King's Death, They named Deputies to go and view the King's Corpse, and were introduced for that Purpose into his Majesty's Apartment; and being returned to their Chamber, they reported what they had seen, upon which the Marshal dismissed the Dyet.

Frederick Augustus, King of *Poland*, Great Duke of *Lithuania*, &c. Elector of *Saxony*, &c. was born the 12th of *May* 1670. He was Son to *Joan George III.* Elector of *Saxony*, of the *Albertine* Branch, who dy'd the 12th of *September* 1691; by *Anne-Sophia*, Daughter of *Frederick* King of *Denmark*. He succeeded to the Electorate of *Saxony*,

Saxony, May 7, 1694, after the Decease of *John-George IV.* his eldest Brother, who then dy'd without Issue. He was elected King of *Poland* the 17th of *June* 1697, and crown'd the 15th of *September* following. He marry'd the 10th of *January* 1693, *Christiana-Ewarhardine* of *Brandenburg-Bareith*, who dy'd the 5th of *September* 1727, aged 56 Years; and left one only Son, who is *Frederick-Augustus*, who was during his Father's Life Prince Royal of *Poland*, and Electoral Prince of *Saxony*, and is now Elector of *Saxony*. He was born the 7th of *October* 1696, and was marry'd *August* 20, 1719, to *Maria-Josephine*, Arch-dutcheß of *Austria*, being the eldest Daughter of the late Emperor *Joseph*.

- The Personal Character of this deceased King was very remarkable: His Person and Presence were to an uncommon Degree charming, noble, and majestic; he had besides, such a prodigious Strength of Body, that he could twist a Horse-Shoe with his Hands. It was no uncommon Thing with him to take a Silver Vessel, and squeeze the two Sides flat, by pressing them between his two Hands 'till they met. He was brave, politick, magnificent, good-natur'd and generous. But with these good Qualities, he was at the same Time without the least Sense of Religion or Duty; as may be judged from his turning Papist for the Sake of the Name of King; it being very little more that the Kings of *Poland* have. He had long given up himself without Rein or Controul to the most abandon'd Course of Debauchery and Voluptuousness; and was one of the most exquisite Artificers of Luxury that ever was. This Conduct in Life made him subject to such uneasy Thoughts, that a Quarter of an Hour's Solitude was Death to him; and he was never satisfy'd but when some particular Amusement or Pleasure came before him. In short, if there were no other World but this, he would have been one of the most accomplished and happy Men that ever liv'd; having had his full swing of the present Life, to as great a Degree, as Pleasures, Riches, and outward Splendor could furnish a Man with. He met, indeed, with a very severe Reverse of Fortune, when the Successes of the King of *Sweden* obliged him to relinquish the Crown of *Poland*, with several grating Circumstances, by the Treaty of *Alt-Ranstadt*, in 1707. But the wild Conduct of that Prince, who lost all at the Battle of *Pultawa*, soon gave him an Opportunity to recover that Crown. Several Things above written relating to this

this Prince, are not, that we know of, in Print; but the Writer having accidentally received them in Conversation from several ingenious Foreigners, he thought himself obliged to give Part of the same to his Readers, it being an Entertainment they may not find elsewhere.

A short Account of the present State of the Kingdom of Poland.

POLAND, together with the Great Dutchy of Lithuania, is now bounded on the North by Muscovy, Pomerania, and the Baltick Sea; on the South by Walackia, Transilvania, Hungary, and Moravia; on the East by Muscovy and Ukrania; and on the West by Bohemia, Silesia, and Brandenburg. Its Extent from South to North is about 6 or 700 Miles, and from East to West about 7 or 800, so that it is almost of a circular Figure, and was formerly much larger.

This Kingdom is now divided into eight great Provinces, every one of these into a certain Number of Palatinates, and every Palatinate into so many Castellanies. The Provinces are,

Great Poland,	Masovia,
Lesser Poland,	Samogitia,
Regal Prussia,	Volhynia,
Russia,	Podlachia.

Great Poland, or Low Poland, is divided into two Parts, the first being called Great Poland, and the second Cujavia. Great Poland contains five Palatinates, viz. Posenia, Kalish, Siradia, Rava, and Lonschit. Cujavia contains two Palatinates, viz. Bresly and Inowlocz. The second Province called Lesser or Higher Poland, is divided into three Palatinates, viz. Cracovia, Sendomir, and Lublin. The third Province called Prussia, has four Palatinates, viz. Pomerania, Culm, Marienberg, and Varmia. The fourth Province called Russia or Red Russia, has seven Palatinates, viz. Russia, Podolia, Braslaw, Kiovia, Volhynia, Belsko, and Chelm. The fifth Province called Masovia, is divided into three Palatinates, viz. Masovia, Ploczkow, and Dobrina. The sixth Province called Samogitia, has no Palatinate, nor is it governed by a Palatine, but by a Starosta who is a Senator. The seventh Province called Volhynia, is but one Palatinate; as also the eighth Province called Podlachia,

The

The Great Dutchy of *Lithuania* began to be united with *Poland* in the Year 1386; when *Jagello* Great Duke thereof, marry'd *Hedwigis* Queen of *Poland* as above mention'd; but this Union was not absolutely compleated 'till the Year 1569, when it was agreed at a Dyet held at *Lublin*, that *Lithuania* should for the future be a Part of the *Polish* Commonwealth, and send its Nuncio's to the General Dyets of the Kingdom, as the other Parts of *Poland* did; but it was to enjoy, and still does enjoy its own peculiar Laws and Customs. *Lithuania* is divided into two Provinces, viz. *Lithuania*, and *Lithuanick* or *White Russia*. The Province of *Lithuania* contains three Palatinates; viz. *Vilna*, *Troki*, and *Briescia* or *Polesia*; and the Province of *Lithuanick Russia* contains five Palatinates, viz. *Novogrodoch*, *Mscislav*, *Witebsko*, *Minski*, and *Polocz*. Thus the Kingdom of *Poland* and Great Dutchy of *Lithuania* contain or are divided into 34 Palatinates, besides the Great *Starosta* of *Samogitia*.

Division of
Lithuania.

The Power of the Kings of *Poland* consists chiefly in these three Branches, 1st, He only, after he is once elected, can con-
voke the General Dyet of the Kingdom; he may call them to meet when and where he pleases, and no new Law or Constitution can be made without his Consent. 2dly, When he is in the Army in Person, he has the supreme Command of the whole Army, and may give Battle when he pleases, besiege what Towns he thinks fit, or do whatever else seems to him most proper. 3dly, He has the sole Nomination to all the great Civil, Military, and Ecclesiastical Dignities, Benefices, and Employments. In all Places he has a great Respect shewn to him; for the chief Senators serve him at Table, and all Persons must stand uncover'd in his Presence, except in the Dyet, where the Senators are allow'd to sit covered. None but his Queen and Children, and such Foreign Ministers as he pleases to invite, are admitted to eat at his Table, except when he is out a hunting, and then the Nobles that attend him are generally invited and dine at his Table. The current Coin of the Kingdom is all stamp'd with his Image and Name; and a considerable Sum is yearly allow'd him for supporting the Dignity and Splendor of his Court. He has his *Polish*, *German*, and *Hungarian* Guards, and the same Officers of his Household as other Kings have.

Power of
their King.

But

But then the Regal Power is limited in a great many Respects ; for the King can neither make Laws, raise Taxes, levy an Army, declare War, or conclude Peace, without the Consent of the Dyet ; even as to the convening or dissolving of the General Dyet, he is limited, for he cannot oblige them to sit longer than the Time appointed by the Constitution of the Kingdom, without their own Consent : And by an Article of the Agreement between *Poland* and *Lithuania*, every third Dyet is to be held at *Grodno*, a City in *Lithuania* ; but then, upon any extraordinary Emergency, the King may, with the Advice of the Senate, call an extraordinary Dyet, to meet at any Place he pleases, which is never reckon'd among the three, one of which is to be held in *Lithuania*. Then as to the Nomination of Persons to enjoy any of the great Dignities or Preferments of the Kingdom, he cannot name any one of his Children, no not even his Queen ; nor can he name any Person, but one who is of the Nobility of *Poland*, and has an Estate in Land, in the Country to which the Office properly belongs ; and now they begin even to pretend, that the King cannot appoint any of the Great Officers without the Consent of the Dyet. He cannot keep any of the Great Offices long vacant, and what abridges his Power as much as any Thing is, that after any Officer, Civil, Military, or Ecclesiastical, is once appointed, and in Possession of the Office, he enjoys it for Life ; the King cannot turn him out for any Misdemeanor however heinous, no not even the Dyet, without it be by an unanimous Consent. The King can neither increase nor diminish the Officers either of his Court or of the Kingdom, nor can he by the Constitutions take or accept of any Money or other Consideration for the Disposal of any one of them ; though Methods are often found to elude this wholesome Regulation. And lest the King should too much aggrandize or make his Family too powerful in the Kingdom, he is restrain'd from purchasing any Lands for them within the Kingdom, without the Consent of the Dyet.

As for the Army, the King is, it is true, supreme Commander if he be personally present, but in his Absence he cannot name any one he pleases to the supreme Command. As soon as he retires from the Army, the Crown General is always Commander in Chief, and he enjoys his Place for Life ; so that it is absolutely necessary

necessary for every King of *Poland*, who has a mind to be respected or obey'd, to be always at the Head of his Army in Time of War, and often present with them even in Time of Peace. So jealous are the *Poles* of a Standing Army, that the King cannot raise any Troops, or bring any Troops into the Kingdom, even at his own Charges, without the Consent of the Dyet. The King of *Poland* cannot leave the Kingdom upon any Account, without Leave of the Dyet first had and obtain'd; nor can he send any Embassador to foreign Princes, or receive any from them, without the Consent of the Senate. These are the principal Limitations upon the Crown of *Poland*, but others will appear from our Account of the other Parts of their Constitution. And besides all these, he must swear to observe the Engagements agreed on at the Time of his Election, which are always drawn up and sworn to by the Candidate's Embassador or Envoy, immediately after the Election; this Agreement is call'd the *Pacta Conventa*; and for our Readers better Information, we shall here insert a Copy of those that were agreed upon and sworn to by the late King *Augustus*, viz.

1. The Kingdom of *Poland* shall be always preserved in its Right of electing a King, so that it may never become hereditary. *Pacta Conventa.*

2. No King shall be elected who shall not be devoted to the *Roman Catholick Church*, and who shall not take an Oath constantly to persevere in her Communion.

3. Liberty of Conscience shall be inviolably preserved in its full Strength and Vigour; and as for the *Greek Religion*, that shall be taken into Consideration after the Coronation.

4. No Presents shall be taken from those who shall sue for any Offices or *Starosties*.

5. The Queen shall not intermeddle with Affairs of Government.

6. As to the Administration of Military Affairs, the Precedents of *Uladislaws II.* and *John Casimir* shall be follow'd.

7. The present Alliances of the Crown of *Poland* shall be renew'd.

8. Endeavours shall be used to recover *Ukrania*, and to make a perpetual Peace with the *Muscovites*.

9. The Revenues, or Money, shall not be apply'd to the particular Benefit of the King, nor shall any Money be coined without the Consent of the Republick.

10. No Foreign Forces shall be brought into the Kingdom, without the Knowledge of the Republick.

11. None shall be employ'd in Embassies but Gentlemen of good Fortunes.

12. Nobody shall be naturalized, but such as have done the Publick some signal Service.

13. Nobody shall be admitted to any Preferment in the King's Household unless he has first served the Crown.

14. No Person whatsoever shall be permitted to enjoy any petty Revenues of the Crown, without the Consent of the Republick.

15. No Person shall enjoy two considerable Offices at one Time, such as those of the *Mareschal* and *General*; but they who now enjoy any Offices, shall continue in the Exercise of them, and enjoy the Revenues thereof without any Defalcation.

16. The ordinary Order in the Administration of Justice shall be preserved without any Alteration.

17. The King, when he has retaken *Caminieck*, shall cause it to be fortify'd at his own Charge; but after that, the Republick shall keep the said Fortifications in Repair.

18. The King's Guard shall consist of the Natives of the Kingdom.

19. If the King become a Widower, and has a Desire to marry, he shall advise with the Senators about the Choice of a Wife; and if he takes a Foreigner, she shall not have above six Foreigners in her Service.

20. Only the *Latin* and the *Polish* Languages shall be made Use of for the King's Letters and Orders.

21. The Laws called *Pacta Henricea*, shall be observed in the Judgments called *Post curialia*.

22. All the Differences that are now depending, shall be determined with all the Speed that may be.

23. No new Custom or Novelty shall be admitted in the Order of the King's Table, but the ancient Custom shall be exactly observed.

24. Places becoming vacant in the Interval of Dyets shall be supply'd in six Weeks.

25. The Militia shall be so regulated at the Dyet of the Coronation that is to come, that there shall be no need

need of Foreign Troops, and military Discipline shall be exactly observ'd.

26. The Salt shall be taxed and shared out in all the Palatinates, according to ancient Custom.

27. All Gentlemen shall have the Freedom of the Salt and Mines.

28. The ancient Privileges of the Palatinates shall remain inviolable.

29. The Prerogatives and Privileges of Places, Towns and Cities, shall be restored; wherever they have been abolished.

30. All the Privileges which belong to the Universities of *Cracow*, and other Cities, as well Ecclesiastical as Secular, as also all the Articles which were promised upon Oath at the Coronation of the Kings *Henry, Stephen, Sigismund, Uladislaus, John Casimir*, and others, shall be revived at this Election; which, if it be not done, or any Thing endeavoured to the contrary of these Articles, then the Inhabitants of *Poland* and *Lithuania* shall be free and disengaged from their Obedience.

The Senate of *Poland* is properly the King's Privy Council, for every Senator has a Right to be present at the King's Council-Board if he pleases. The Senators of *Poland* are properly what our Noblemen are here, but that Dignity is not hereditary, nor can it be bestow'd by the King at Pleasure, but is annexed to an Office, and the King can only make a Senator by giving him an Office to which the Dignity is annexed, when any such Office becomes vacant. The Business of the Senators is to attend the King, and assist him with their best Counsel and Advice, and when there is no General Diet assembled, they are to take Care that he governs according to Law; they are bound by an Oath to study the Publick Good, and to preserve the Liberties and Privileges of the Common Wealth. And thus their Presence being necessary for the Good of their Country, none of them can travel into Foreign Countries without Leave of the Republick.

*Senate of
Poland.*

As the King has the Nomination to all great Offices, consequently it is the King that makes every Senator, but after he is once made, he continues a Senator and in his Office for Life; even the Diet itself cannot turn him out if he has but Interest enough to procure one Member to appear and stand firm for him.

The Senate of *Poland* is made up of the Archbishops, Bishops, Palatines, and Castellans of *Poland* and *Lithuania*, and of the Starosta of *Samogitia* and the ten Crown Officers. There are two Archbishops, and 14 Bishops, who in that, as well as in other Countries, have assumed the Preference of all Lay Senators. There are 32 Palatines, 85 Castellans, one Starost, and 10 Crown Officers, so that the Senate consists of 16 Spiritual and 128 Lay Lords or Members.

These Senators, besides their Power and Business as Senators, have each of them a Power and Business belonging to their several Offices. The first Senator

and chief Man of the Kingdom next to the King, is the Archbishop of *Gnesna*, who is Primate of the Kingdom, and has the supreme Jurisdiction in all Ecclesiastical Affairs, both within his own Province, and that of the other Archbishop; for an Appeal lies to him, even from the Sentences of the Archbishop of *Leopold* himself. The Primate has his Marshal, who is always a Castellan and Senator, and who rides on Horseback before the Primate's Coach, with the Primate's Staff in his Hand, with which he salutes none but the King. When the Primate comes to wait on the King, the Great Chamberlain, or some other great Officer, always receives him at the Stair's Foot, and the King afterwards comes out of his Chamber and meets him in the Antichamber. He never pays any Visits of Ceremony but to the Pope's Nuncio, and to him only once. But he visits no King's Ambassador, even tho' they visit him first.

After the King's Death, the Primate is Regent 'till a new King be chose. He convokes and dissolves the Dyet in the same Manner as the King may do; and when a King is elected, it belongs to the Primate to proclaim and crown him. As to other Matters, the Power and Authority of the Primate, and all the other Bishops, is much the same in *Poland* as in other Roman Catholic Countries.

The Palatines of *Poland* are a Sort of Lords Lieutenants within their respective Palatinates. They preside in the particular Dyets of the several Palatinates; and in Time of War they lead and command the Troops or Militia of the Palatinate to the General Rendezvous, at all Times when the General Militia of the Kingdom, called by the Poles, *Pospolite Ruszenie*, are summoned.

moned by the King and General Dyet to appear in Arms. They have likewise a Jurisdiction in several Cases within their respective Palatinates, and are Princes and Senators by their Office. Each of them has at least one Vice-Palatine under him, and some more than one; this Vice-Palatine is named by the Palatine, and takes only an Oath to be faithful to him. These Vice-Palatines must have competent Estates in Land within the Palatinate, in order to qualify them for the Office.

The Castellans are likewise inferior to the Palatines, but they are *Of the Castellans.* named by the King, and take their Oath to be faithful to the Republick. They are Senators by their Office, and lead and command the Militia of their respective Castellanies into the Field, under the Command of their respective Palatines, and are a Sort of Lieutenants to the Palatines. They have a Jurisdiction within their Castellanies, and must have competent Land Estates, to qualify them to be Castellans.

The Officers called Starostas, are either with Jurisdiction or without. *Of the Starostas.* The first are properly Governors of Castles and Royal Cities, and have a Jurisdiction in all Causes that are not of very great Moment within their respective Districts; for which End they have their Vice-Starostas, Judges, and other Officers; and they collect the Publick Revenues arising within their respective Starostaships, out of which they are allow'd to deduct a fourth Part for their Trouble. The Starostas without Jurisdiction are in some Manner what we call Tenants *in capite*, only they are not hereditary. They have no Jurisdiction unless in Cases of very small Moment; and their Revenue arises from the Lands, and from the several Sorts of Manufactures within their Starostship. There is not one of them a Senator by his Office, but only the Starost of *Samogitia*.

The last Degree of Senators is the Ten Crown Officers, *viz.* The Great *Of the Crown* Marshal or Great Steward of Poland. *Officers Senators.* The Great Marshal or Great Steward of *Lithuania*. The Great Chancellor of the Kingdom. The Great Chancellor of the Dutchy. The Vice-Chancellor of the Kingdom. The Vice-Chancellor of the Dutchy. The Great Treasurer of the Kingdom. The Great Treasurer of the Dutchy. The Little Marshal
or

or Court Marshal of the Kingdom. The Little Marshal or Court Marshal of the Dutchy.

The Office of the Great Marshal or *Of the Great Steward of Poland* is, to prepare every *Marshal.* Thing for the General Dyet, either by

Command of the King when there is one, or by Command of the Primate when there is no King; to assign Stations for the several Members of the Dyet, and to exclude such as have no Right to come there. He promulgates all the Acts of the Senate, and sees the King's Sentences put in Execution, either in Cases of Infamy or Death. He takes Care that all the Court Officers perform their Duty in their several Stations, over whom he has the sole Jurisdiction in Criminal Cases; and that he may fully execute his Office, it is made Capital so much as to wound any of his Officers in the Exercise of his Duty. He always carries a Staff erected before the King wherever he goes; and he is the Introducer of all Foreign Ministers. He may punish even with Death all Offenders and seditious Persons in any Place within *Poland*, where the Court or General Dyet is. But the most profitable Branch of his Office is, that he has a Power of fixing the Prices of all Provisions, Wares, or Merchandizes, in the Place where the Court or General Dyet is held; and of licensing and regulating all publick Shows. The Great Marshal or Steward of *Lithuania* has the same Power within that Dutchy.

The Chancellor and Vice-Chancellor of *Poland* must be always, one an Ecclesiastic, and the other a Secular;

But in *Lithuania* they may both be Secular. The Office of the Chancellor is to propose all Matters to be debated in the Senate; to take Cognizance of Appeals made to the King; to see Justice equally administered, and to take all possible Care that the Laws be observed; to answer all Speeches made to the King, and to receive and answer all the Letters sent to the King. He affixes the Seals to all Mandates, Grants, and other Royal Deeds, provided they be conform to the Laws of the Republick; but if he thinks they are not, he may refuse affixing the Seals, and therefore he is answerable to the Republick for what he does. In his Absence the Vice-Chancellor acts for him; and upon his Death, the Vice-Chancellor generally succeeds.

The

The Great Treasurer of the Kingdom, and the Great Treasurer of the Dutchy, *Of the Great* are Guardians of the Treasure and Revenue of the Republick; out of which *Treasurer.* they pay all Salaries either of the Military or Civil List; but are so little dependent on the King, that they do not so much as account to him; neither are they obliged to render an Account to any but the Dyet, which appoints Commissaries for that Purpose; but sometimes it happens, that they continue a long Time before they are called to an Account, and then, by treating and making Presents to the Commissioners, they easily obtain their Discharge. One of the Great Treasurers of Poland, viz. Count Morffyn, had cheated the Publick of so much Money, that he thought fit to withdraw privately out of the Kingdom; and having before sent all his Money to France, he bought a whole little County of that Kingdom called *Chateau Vilain*; a very proper Name for an Estate acquir'd after such a Manner. The Little Court Marshals of the Kingdom and Dutchy are the two last Senators, and are a Sort of Substitutes to the two Great Marshals; but they are nominated by the King, as well as the others are.

There are two other Officers of great Consideration in Poland, tho' they be not *Of the Great* Senators by their Office: These are the *General.* Great General of Poland, and the Great General of Lithuania. Both are for Life, and they are independent of one another; only that the Great General of the Dutchy gives Place to the Great General of the Kingdom; and when their Armies are jointly engaged, the General of the Kingdom has the supreme Command. In the Absence of the King, they have, over their respective Armies, the supreme and absolute Command, without being obliged to consult the King, or to receive any Orders from him; and they may quarter their Soldiers upon whose Lands they think fit, which makes them formidable to all the Nobility of Poland. Each of the Great Generals has under him a Lieutenant-General, who is likewise nominated by the King; but after they are nominated, they have the Post for Life; and if either of the Great Generals happens to die, the Lieutenant-General under him has a Right to succeed.

The

The other Great Officers in the Armies, *Other Great Officers.* both of the Kingdom and Dutchy are, the Commander of the King's Guards in the Camp; the Great Standard Bearer; the Great Master of the Artillery; the Camp Notaries, and the Commander of the Guards against Incurfions: And the other Great Civil Officers in the Kingdom and Dutchy, who are not Senators by their Office, are, a Secretary of State for each, both of whom must be Ecclesiasticks; two Referendaries for each, one Ecclesiastical and one Civil; and several others, all of whom it would be too tedious to name.

The Grand Dyet of *Poland* is properly *General Dyet of Poland.* the Parliament of that Kingdom. It is composed of the King, the Senators, and the Nuncio's from the several Palatinates or Counties, met together in any City or Town of *Poland* or *Lithuania*, in order to deliberate upon the publick Affairs of the Kingdom, and sovereignly to determine in Relation thereunto.

The King (or during the *Inter-regnum*, *King's Power* the Primate) has the sole Power of convening the Dyet, and likewise to determine the Place where, and the Time when it shall sit. *as to convoking the same.* The King is however obliged to call a Dyet once in three Years, and of every three successively call'd, two must be held in *Poland*; and the third at *Grodno* in *Lithuania*; which was stipulated by Agreement between *Poland* and *Lithuania*, and is look'd on as one of the fundamental and inviolable Articles of the Union between them: And these Articles are the more religiously observed, because the *Lithuanians*, notwithstanding their joining in an Union with *Poland*, and submitting to be governed by the King of *Poland*, yet they took a Care to retain in a great Measure in their own Hands, the Military as well as Civil Government, within their own Country, by which Means they always have it in their Power to enforce an Observance of the Articles agreed on; so that the Union between them is a real Union, and not a dishonourable and absolute Surrender under the specious Name of an Union. Though the King be confin'd as to the Place of holding these ordinary General Dyets, yet he may, upon any sudden Emergency which requires immediate Dispatch, convoke an Extraordinary Dyet to meet

meet at any Place he pleases, but this must be done by the Advice and Approbation of the Senate.

When the King or Primate is to convoke a General Dyet, he sends out Circular Letters to all the Palatines, and the Starostas of *Samogitia*, acquainting them with his Design, and at what Time and Place the General Dyet is to assemble. With these Letters he is obliged to send a List of all the Articles or Affairs which are to be treated of in the General Dyet; both which are called his Majesty's *Universalia*; and they must be issued out at least six Weeks before the Time appointed for the Meeting of the General Dyet, except it be upon some very extraordinary and urgent Occasion. Upon the Receipt of the King's *Universalia*, the Palatine or his Deputy, sends a Summons to all the Castellans, Starostas, and other Gentry within the Palatinate, requiring them to meet together at a certain Time and Place within the Palatinate, to deliberate on the Articles proposed by the King's *Universalia*, and to chuse Nuncio's or Deputies to represent them in the General Dyet.

King's
Universalia.

These Provincial Assemblies are called Dyetines, or Petty Dyets, and all those who are Gentlemen of *Poland*, and have an Estate in Land within the Palatinate of not less than three Acres of Ground, or under the yearly Value of eight Crowns Sterling, have a Right to be present and to vote in these Dyetines; and formerly they could not come to any Determination even in these petty Dyets, but by the unanimous Consent of all the Members present; but this bred so much Disorder and Delay, that the Constitution was alter'd, and they now determine all Matters before them by Majority of Voices. The King has a Deputy present at every one of these Dyetines, and the first Thing they do is to chuse a Marshal of the Dyet. After they have chosen their Nuncio's for the General Dyet, the Number of which, seems not to be settled, they then give them Instructions how they are to behave and vote in the General Dyet, in all the Affairs mention'd in the King's *Universalia*; which Instructions the Nuncio's are obliged most punctually to observe; and if any Thing should be brought before the General Dyet, which was not fully mention'd in the King's *Universalia* to the Dyetines, the Nuncio's must always in that Case answer, that they have no Instructions upon that Subject, and that there-

Petty Dyets of
Poland.

Q

fore

fore they can come to no Determination in Relation thereto. These Instructions the Nuncio's must hold so sacred, that if any one of them should in the most trifling Article, transgress the Orders he receives from his Constituents, he would run a great Risque of being cut to Pieces as soon as he returned into his own Country; for the Poles are so ready to draw their Sabres, that they seldom have Patience to wait the slow Steps of Justice, against a Man who has betray'd the Trust repose in him by his Constituents.

On the Day prefixed for the Meeting
First Meeting of the General Dyet, the King, with
of the General all the Senators and Nuncio's, go
Dyet. hear a Sermon, which being ended, he

with the Senators go into the Senate-Room, and the Nuncio's go into their own Room or House, where they confer together about electing a Marshal or Speaker, and during these Conferences the last Marshal officiates 'till a new one be chosen. After their Marshal is chosen, they all go together to acquaint the King with their Choice of a new Marshal, whom they present to his Majesty, and thereupon they all kiss his Majesty's Hand; who receives them in the great Dyet Chamber, being seated on a Throne erected for that Purpose, the Senators all cover'd, sitting on his Right and Left, according to their several Degrees; but the Nuncio's continue standing and uncover'd. Then the Chancellor in the King's Name proposes all the Points to be debated in the Dyet, and desires the Senators and Nuncio's to take them into Consideration; and the Nuncio's, by the Mouth of their new Marshal, request the King to make void all Incroachments either upon the State or the People; and to bestow all vacant Offices upon Persons of Worth and Merit. After which, the King withdraws, and the Senators and Nuncio's retire into their respective Houses or Chambers, where the Nuncio's forthwith set about deliberating on the Articles proposed.

The House of Nuncio's have in
Power of the House some Measure the most extensive
of Nuncio's. Power, for no Law can be made, unless it be first brought in and agreed to in their House; and they have a Power of impeaching all Magistrates and Officers of what Degree soever, if they suspect them to have been guilty of any Mal-Administration. Even the King himself they often

often put in Mind of his Duty and of his Coronation Oath, and in their Speeches they sometimes use a good deal of Freedom with his Majesty. And if during the Session any of the Nuncio's commit any Crime, he is to be tried only by his Fellow Members.

As all Laws to be made must be first brought in and passed in the House of Nuncio's, the Senate or Upper House have little to do for the first Week or ten Days of their Sitting, but to try Civil and Criminal Causes of great Moment, and such other Matters, which they employ themselves about, 'till some Bills be sent up from the Lower House to be consider'd and agreed to by them. The King is often present with them at their Deliberations, and all Bills passed in the Lower House, must be approv'd of by the King and them, before they can pass into a Law.

Towards the Conclusion of the Dyet, if the same breaks up regularly, the Marshal of the Lower House, in a set Speech gives Thanks to the Deputies for the Honour and Favour they have conferr'd upon him, and is answered by one of the Nuncio's, in the Name of the rest, who returns him their Acknowledgments for the faithful Execution of his Office; after which they go up and join the Upper House in the Dyet Chamber, where the King sits upon a Throne under a Canopy, on which are placed the Arms of Poland and Lithuania. On the two Sides of the Throne, stand the Ten great Officers of State, those for Poland on the Right-hand, and those for Lithuania on the Left: Then the Bishops sit in two Rows, one Half on the Right-hand, the Archbishop of Gnesna being next the King; and the other Half on the Left, the Archbishop of Leopold being next the King. Below and behind the Bishops sit the Senators, according to their respective Precedency; and below or behind them, the Nuncio's are placed in Order, according to their respective Precedencies.

In this Meeting the Nuncio Marshal's Power is at an End, his Office being officiated by the Great Marshal of Poland, or in his Absence by the Great Marshal of Lithuania; only the Marshal reads publicly in the Dyet such Bills as are to be passed into Laws, and after the Reading of each Bill, the Chancellor asks, if the King, Senate and Nuncio's consent to have

have the Seal affixed? which being agreed to, he presently seals it, and thereupon it is enrolled by the Deputy Marshal in the Register of Publick Acts at *Warsaw*; from whence the King's Secretaries take a Copy of it, and so get it printed and dispersed all over the Kingdom.

But it often happens, that their *Dyets often break up irregularly.* Dyets break up in a disorderly Manner; for if any one of the Members of the Dyet disapprove of what they are about, he refuses his Consent, withdraws out of the Assembly, and enters his Protest against all further Proceedings; and if there appear to be any the least Ground for such a Protest, the Dyet breaks up instantly, so that none of the Bills that have been brought in, can be passed into a Law, or the Seal affixed to any of them. And this Privilege, which every particular Member has, is often turned to the great Disadvantage of that powerful Kingdom; for it has often put it in the Power even of their most inveterate Enemies, to embroil their Affairs, and to disappoint their most wise Determinations.

The principal Affairs treated of in *Affairs treated of in the Dyet.* the General Dyets of *Poland* are, the King's Election or Marriage, the sending of Embassadors to Foreign Princes, or making Alliances with them; the declaring of War, or concluding a Peace; the imposing of Taxes, or raising the *Pospolite* or Militia of the Kingdom; the making of Laws; the Naturalization of Foreigners; and the like. The Upper House or Senate, is the Ultimate and Sovereign Court for determining all Suits of Law between private Persons, there being an Appeal to them from every other Court in the Kingdom. They also judge in all Criminal Cases, upon Impeachment from the House of Nuncio's, and likewise in all Crimes where any of the Great Men of the Nation are concern'd, more-especially in Cases of High Treason; but when they go upon such Trials, the King is then obliged to withdraw, he being looked on as a Party concern'd.

By the Constitution of the Kingdom, *Term of the Dyet's Sitting.* the King cannot keep the Dyet sitting above six Weeks; but if they find they are not able to finish their Business in that Time, they petition the King that the Dyet may be continued; however, this seldom happens, for as soon

soon as ever that Time is expired, the Nuncio's generally send their Marshal to take Leave of the King in their Name, and to acquaint him that they intend to wait on him to kiss his Hand, and take Leave of him, which they are always admitted to do soon after ; for the King takes all possible Care to have the most urgent Affairs dispatched before that Time. And if he has not, it is seldom in his Power to prevail on them to continue sitting but a few Days longer, even tho' the Kingdom should thereby be brought into the utmost Confusion and Distress ; which Obstinacy is ascribed to this, that in *Poland* the Nobility or Gentry have little or no Credit, for they seldom pay their Debts ; and generally before the Expiration of the six Weeks, what Money or Provisions they brought from Home with them are all exhausted, so that they must break up the Dyet, or be reduced to a starving Condition. And what contributes chiefly to their being so soon reduced to Want is, the vast Number of Attendants, Guards, Heydukes, and Servants, that the Great Men bring along with them ; in which they endeavour to outdo one another ; inasmuch, that some of them will have a Row, sometimes two Rows of Guards, that reach from the Houses where they live, quite to the Palace where the Dyet is held.

Tho' the Senators and Nuncio's sit in two different Appartments, yet they *Conferences and* have frequent Conferences about the *Committees.* Affairs that come before them ; upon which Occasions they meet in a very solemn Manner, and settle whatever Differences or other Matters have arisen between the two Houses. And in both Houses there are Committees often appointed to settle, determine, or prepare such Matters as are referred to them by their respective Houses : In both which they agree with the Methods practised in the *British* Parliament. From what has been said, our Readers may form some Idea of the General Dyet of *Poland* ; but as that for electing a King, is something different from the ordinary Dyets, we shall proceed to give a short Account of their Method of electing a King.

As soon as the Crown of *Poland* becomes vacant, the Archbishop of *Gnesna*, *Inter-regnum of* as Primate of the Kingdom, takes upon *Poland.* him the Sovereign Authority, which he enjoys almost in as extensive a Manner as the King did, and all the Crown Revenues are vested in him during

during the Vacancy of the Throne. The first Thing he does, is to issue out circular Letters to all the Palatinates, commanding the respective Officers to publish the *Inter-regnum*, and summoning a General Dyet or Convocation to meet at *Warsaw* at a Time prefix'd: Then all proper Measures are taken for securing the Peace and Safety of the Kingdom; and for that Purpose the *Inter-regnum* Court call'd the Court of *Kaptur*, is established, which is either general or particular. The general Court is composed of some of the principal Nobility, and their Authority extends over the whole Kingdom. The particular Courts of *Kaptur* are those which are established in each Palatinate; they are composed of some of the principal Nobility within each Palatinate, and their Jurisdiction reaches no farther than their respective Palatinates. Some Senators and Deputies are dispatch'd to the Generals of the Army, not only to assist them with their Counsel and Advice, but also to be a Sort of Spies upon their Conduct. Others are appointed to inspect the Crown Treasure deposited in the Castle of *Cracow*, and to make an Inventory thereof, which they report to the next Dyet. And Commissioners are appointed to enquire into the State of the Crown Revenues, of which they likewise make a Report to the next Dyet.

Upon Receipt of the Primate's circular Letters, a Dyetime or petty Dyet is appointed to meet in each Palatinate, where they chuse their Nuncio's for the General Dyet; and on the Day prefixed by the Primate's circular Letters, the General Dyet meets at *Warsaw*, where they take the State of the Kingdom into Consideration, make such Resolutions as they think proper; and appoint the Day for the Dyet of Election to meet; all which must be speedily done, for by the Constitution of the Kingdom, they can sit but a Fortnight: After which, the Nuncio's return to their several Palatinates, where the petty Dyets are again assembled, to whom the Nuncio's report the Proceedings of the General Dyet. Then at these Dyetimes the Nobles consider what Instructions may be proper to be given to the Nuncio's to be chosen for the Dyet of Election, after which they chuse their Nuncio's, and give them the Instructions agreed on.

The

The Dyet of Election is always held in an open Field near *Warsaw*, Dyet of Election. where the Great Treasurer of the Kingdom, at the Expence of the Publick, builds of Boards a very large Booth or Hall, which the *Poles* call *Szopa*, which has three great Gates, and is moated round with a deep Ditch. Upon the Day prefix'd for the Meeting of the Dyet, the Senators and Nuncio's, with the Primate at their Head, go to *S. John's Church* at *Warsaw*, to pray God to direct them in the Choice of a King, who may have all the Qualities necessary to defend the Church, and protect the Republick; though it be well known, that in such Elections they are generally more directed by foreign Gold, than they are either by the Divine Influence, or by the Interest of their Country. After Prayers are over, they go in a Body to pay their Respects to the Queen Dowager, if there be any, and to condole with her the Death of the deceased King her Husband, the Primate speaking for the Senators, and the Marshal of the last Dyet for the Nuncio's, and they are answer'd in the Name of the Queen by her Chancellor. After this Ceremony is ended, they march in great Solemnity to the *Szopa*; but the Senators only go into the *Szopa*, and the Nuncio's draw up in the open Field adjoining, where the first Thing they do is, to elect a new Marshal or Speaker, who as soon as chosen, takes an Oath, *That he will discharge his Office faithfully: That he will receive no Bribes: That he will keep no particular Correspondence with any of the Candidates: And that he will subscribe no Schedule of Election, without the Knowledge and Approbation of the Republick.* After which he is presented to the Senators.

The Dyet being thus established, the Senators and Nuncio's then meet also- *Their Oath and Business.* together, and upon their Knees take the usual Oath, which is administered by the Primate, *That they will observe a strict Union and Intelligence among themselves for the general Interest of the Nation: That they will acknowledge no Man for their King, but him that is elected by the unanimous Consent of the Dyet, and who shall swear to preserve inviolable the Rights and Privileges of the Republick; and that whoever shall otherwise, they will deem and declare an Enemy to his Country.* They likewise swear not to give their Votes for any Man, nor to enter into an Agreement with any of the Candidates, or their Embassadors, 'till all the Irregularities, Disorders,

Disorders, or Incroachments either in the Kingdom or Great Dutchy, be first consider'd and redress'd. Then they proceed to Business, and one of the first Things they do, is generally to annul and make void all the Laws or Statutes pass'd, and likewise all Judgments or Decrees given in the Reign of the deceased King, which they judge to be inconsistent with, or any Incroachment upon the Liberties of the Nation. This indeed is the chief Conveniency of having an elective Crown: By this they prevent the Successor's building upon the Foundations laid by his Predecessor: By this, all those Schemes are overthrown, which may have been projected or begun by the deceased King, for the establishing an arbitrary Power: It is so wholesome a Regulation, so necessary for the Preservation of Liberty in all Kingdoms, that even in hereditary Monarchies, where the King, when established, is not under proper Limitations, it would be good Policy to establish a Regulation, that the next Heir should not come into the Possession of the executive Power for a few Months, at least, after his Predecessor's Demise, but that in the mean Time, the whole executive Power should be lodged in the States of the Kingdom.

This of examining into the Management of the former Reign, is, indeed, one of the chief Affairs which the Dyet of Election is taken up about: For this Purpose they appoint a Committee compos'd of so many Members of each House, to examine into the Exorbitances of the last Reign; which Committee meets every Morning at the Castle of *Warsaw*, and receives all the Complaints that are or may be brought in from any Part of the Country. While this Committee is examining into the Exorbitances of the former Reign, the Dyet receives and gives Audience to the Embassadors of Foreign Princes, who are severally introduc'd into the Dyet (the Pope's Nuncio being always the first) with great Solemnity, by Committees appointed by the Dyet to receive each of them respectively. And after the Committee of Exorbitances have made their Report, the Dyet makes such Laws and Resolutions as may prevent the like for the future, and such as they may further think proper for the Preservation of the Rights and Privileges of the Republick; and in the mean Time, they are privately treating with the Embassadors or Envoys of the several Candidates, to see which

of

of them can offer the most advantageous Terms to the Republick. In this Branch of their Business, the common Frailty of Mankind, that of Self-Interest, works as potently in *Poland* as in other Countries; for each Senator and Nuncio judges those Terms to be the most advantageous for his Country, which are offer'd by the Prince from whom he expects the greatest Advantage to himself; which is the Reason that in most Elections, they divide into Factions and Parties, so that notwithstanding all their Pretences, there is, seldom or never a free and unanimous Election.

After all these Affairs are settled, they then proceed to the Election; but first, by *Method of* singing the *Veni Creator*, they implore the *Election.* Assistance of the Holy Ghost, and after this Anthem is ended, both the Senators and Nuncio's remove from their several Places, and divide themselves into their several Palatinates, making so many particular Rota's or Divisions, only the Archbishop of *Gnesna* keeps his Seat. After they are thus divided, the first Senator of each Palatinate, collects the Votes of all the Senators and Nuncio's belonging to his Palatinate, which are all made up into a Roll, and transmitted under their several Hands to the Nuncio Marshal. These Suffrages are afterwards examined by the Senators in the *Szopa*; and if the Votes be all unanimous for any one Candidate, the Archbishop of *Gnesna*, or the Bishop that is *Inter-Rex* in his Stead, demands thrice, if the Grievances and Exorbitances are all redress'd, which being answer'd in the Affirmative, he immediately proclaims the King elect: But if the Suffrages are not unanimous, as generally is the Case, each Party endeavours all they can, by Persuasions, Promises, and even Threats, to bring the others over to their Side; and at last the strongest Party, especially if they have the *Inter-Rex* on their Side, get the Candidate they are for proclaimed King.

[To be continu'd.]

G R E A T B R I T A I N .

THE most material publick Event that has hap-
pen'd in our own Country since the last *Register*,
or indeed in many Years last past, has been the bringing
into the House of Commons a Bill for subjecting Tobatco
and Wine to the Laws of Excise ; the zealous Opposition
it met with ; and the Rejoycings made on its being
postponed a third Reading to the 12th of *June* ; which
was understood to be the same in Effect as dropping it.
As this Bill was so warmly opposed on the Supposition
that the Laws of Excise bore too hard upon the Liberties
which are claimed by the *British* Nation, as their Birth-
right and special Privileges, it may not be improper to
give some distinct Account of those Laws in general,
of the Time when they began to take Place, and of
those Articles belonging to them, which seem most re-
markable to intrench on the Privileges of a free People ;
it being indeed impossible to have an exact and proper
Idea of the late proposed Extension of those Laws, with-
out being first acquainted with the Nature of the Laws
in general.

Soon after the Restoration of King *Charles II.* a Com-
promise was made between the King and the Parlia-
ment, in Relation to the Court of Wards and Purvey-
ances ; which had been an ancient Branch of the Royal
Prerogative, but which gave an invidious, and in some
particular Cases, an oppressive Power to the Crown.
The King agreed to yield up this Prerogative ; and in
Return, the Parliament granted to the King, his Heirs,
and Successors, an Imposition upon Beer, Ale, Cyder,
Perry, and other Liquors. This was the first Beginning
of an Inland Duty or Excise ; for the Liquor being
home-made, the Tax, 'tis plain, could be collected by
no other Way. That we may see then the Nature of
Excise Laws, the Restraints laid upon the Subjects by
them, and the Changes which they make in the ancient
established Rules, and by Consequence that we may
judge what Ground there was, or was not, for the late
general Aversion expressed to them, the best and most
impartial Way will be to insert the several Clauses of
this and succeeding Acts of Parliament of the same
Nature, which regard the Methods of supervising and
collecting such Duties as are to be collected by an Excise.
And

And it will not, we hope, be unpleasant to our Readers, to see this whole Matter set before them at one View. Now to the End that this Revenue might be paid to the Crown to the full Value intended, without Defalcation by those Frauds which would naturally be invented to save the Duty, it was found necessary to lay that Part of the Subjects who dealt in exciseable Liquors, under the following Restraints in the Prosecution of their Calling and Business :

I. Common Brewers of Beer and Ale once a Week, and all Retailers of Beer, Ale, Cyder, &c. once a Month, were to make true Entries at the Office of Excise of all the Liquors they brew'd or retailed ; and in Default thereof, were liable to a Forfeiture of 5*l*. Common Brewers not clearing within a Week, or Retailers within a Month after they make or ought to make Entries, to pay double the Duty.

II. The Commissioners, &c. were empowered to constitute Gaugers, who may by Day, or in the Presence of a Constable and other Officer by Night, enter into any Places belonging to Brewers, Victuallers, &c. and gauge Coppers and Vessels, and take an Account of their Liquors, and make Return thereof to the Commissioners, &c. Brewers, &c. refusing to permit the Gaugers to enter, shall be forbidden by them to sell the said Liquors ; and if they sell after such Warning, or deliver out any the said Liquors, not having clear'd the Duty, they were to lose 5*l*. beside the double Value.

III. Offences against this Act within the Limits of the Chief Office in *London*, or within the Bills of Mortality, to be determin'd by the Commissioners of Excise ; or in Case of an Appeal, by the Commissioners of Appeal.

From these three Clauses it may be observed, that by this first Act the three following Distinctions were made between the Traders who became subject to the Laws of Excise, and the other Subjects ; first, that they were to lay open their Dealings to other Persons ; secondly, that their Houses became liable to the Search and Visitation of Strangers ; and thirdly, that Offences against this Law were triable, not by a Jury of indifferent Persons, but by Commissioners put in by the Crown, who might possibly therefore be sometimes biased towards the Side they were obliged to, and continued dependent on.

These are the only Clauses in this first Act for an Excise, that relate to our present Purpose. But according

to the Italian Proverb, *Fatta la Legge, si truova l'Inganno*; which may be thus paraphrased, *Every new Law begets a new Trick to evade it*. There were Men sharp enough to find out, that tho' they could not hinder the Gaugers from taking the Content of their Vessels, while those Officers were present; they might set up new ones, or enlarge the old ones, before they came to make a second Inspection. Others, besides the Vessels that stood exposed to the Gauger's Examination, had private ones in other Houses. Others, having brew'd Small Beer, and let the Gauger take an Account of it as such, converted the same afterwards into Strong Beer or Ale, by which they saved the Difference of the Duties upon Small and Strong Liquors. Others, having (according to a Clause permitting it) compounded in general for a certain Sum to be paid for a certain Time, set themselves to brew larger Quantities than ordinary for other Brewers, and by this Means saved those Brewers the Duty; which to be sure was not done without a proper Consideration for themselves; and others found out, that a little Money properly apply'd to the Gauger, would often save them a great deal in the Duty. For all these Things the Letter of the former Law had made no Provision; nor were those who used these Frauds, liable to any Penalty upon Discovery. Upon these Accounts, new Regulations were become necessary, and three Years after, 15 Car. II. an Act of Excise passed with the following Clauses;

I. No Brewer or Retailer of Beer or Ale, without giving Notice at the next Office of Excise, &c. shall set up, alter, or enlarge any Tun or Vessel, or keep any private Storehouse for laying such Liquors in Cask, on Pain of 50*l.* for each Tun.

II. If any Brewer or Retailer shall, after Account taken by the Gauger, convert any Small Beer into Strong, he shall forfeit for every Barrel 20*s.*

III. If any Brewer, compounding for his Excise, shall brew for other Brewers, without giving Notice, and paying the Excise, both the Persons concerned shall forfeit 5*l.* each, for every Barrel.

IV. No Brewer or other, shall bribe a Gauger, or a Gauger take a Bribe, under a Penalty of 10*l.*

This last Clause was not found sufficient to keep the Officers honest; for which Reason, 1 W. & M. an Act being made for an additional Duty on exciseable Liquors, a Clause was inserted, by which an Excise Officer taking

king or demanding Money or Reward from any Person, loses his Place, and is render'd incapable to serve in the Excise.

By an Act 2 *W. & M.* an Excise was laid upon Low Wines or Spirits, by which the Distillers were made subject to the same Visitation that the Brewers had been; which was confirmed by another Statute 7 & 8 *Will. 3.* This last Statute also gave a new Power to the Excise Officers, it being therein enacted,

That any Officer of Excise, in his respective Division, having a just Suspicion of any private Tuns or Vessels, or any Drains or Pipes, or other secret Conveyance, used by any Brewer or Distiller; he may, in the Day Time, and in the Presence of a Constable, after Request first made, break open the Door of such Brewer's or Distiller's Brewhouse, Distilling House, or other Room, or the Ground in their respective Possessions, to search for the same; and in Case they find any private Pipe or Conveyance, to follow the same into the House or Ground of another Person, and break open the Ground to follow such Pipe, in order to find such private Vessel, making good the Ground broken up, under 20*l.* Penalty to the Opposer.

By a Statute 8 & 9 *Will. 3.* the above Laws are confirmed, and the Penalties in several Cases enlarged.

By another Statute in the same Session, a Tax was laid upon Malt, Mum, &c. by which those Duties were also made subject to the Laws of Excise; and the Dealers in Malt were made subject to the like Visitations with the Brewers and Distillers.

By a Statute made in the 8th Year of Queen Anne, a Duty was laid on all home-made Candles, the collecting of which was also to be done by the Excise-Office; by which the Tallow-Chandlers became subject to the following Restraints and Visitations.

I. Makers of Candles to give Notice in Writing to the Officers of Excise of their Melting-houses, and other Places for making Candles, and not to alter the same without a new Notice, on the Penalty of 50*l.*

II. Makers of Candles to make true Entries upon Oath, at the Excise Office, every Month, or every Six Weeks, of all Candles made by them during that Time.

III. Officers might enter their Houses by Day, or in the Presence of a Constable by Night, and weigh the Candles found therein, or otherwise take an Account of them, by which the Maker should be charged at the Office.

IV. Officers

IV. Officers were permitted to take an Account of Materials for making Candles, in Possession of any Maker; and in case of missing the same afterwards, to charge the Maker with such a Quantity of Candles, as in his Judgment those Materials would have made.

V. Obstructing any Officer, 20*l.* Penalty.

VI. Maker removing or carrying away Candles not taken Account of by the Officer, without giving him 24 Hours or two Days Notice, to forfeit 20*l.*

VII. Makers fraudulently hiding Candles, or Materials for making them, to forfeit 20*l.*

By a Statute in the 10th of Queen Anne, the same Excise Duty was laid on Soap; and the Soap-makers became subject to the like Regulations with the forementioned Trades; which being the same, *mutatis mutandis*, with those just inserted, it is needless to repeat. And in the 1st of King George I. the Penalty for concealing Soap, or Materials for making it, was raised to 500*l.*

In the 10th of King George I. all Druggists, Grocers, Chandlers, Coffee-house, or Chocolate-house Keepers, and any Persons dealing in Coffee, Tea, Cocoa-Nuts, or Sellers of Chocolate, became subject to the like Visitations and Restraints with those of the above mentioned Trades; the Tax upon those Commodities, formerly paid by Way of Custom, being now turned into an Excise. These Regulations were in most Respects the same with the former; but some Clauses being also added, particularly applicable to those Duties, it may not be amiss to insert them.

I. No Coffee, Tea, &c. above the Weight of Six Pounds, shall be removed from any Part of this Kingdom, by Land or Water, without a Permit or Certificate, sign'd by an Officer.

II. The Commissioners may provide so many Houses and at such Places as they think proper, for the roasting such Coffee Berries as shall be brought to them for that Purpose; and after the providing such Houses, no Coffee Berries to be roasted but there.

III. All Dealers in Coffee, &c. who vend the same in less Quantities than Six Pounds, are to have a Book, in which they keep an Account of the Quantities they vend in each Day, and enter the same every Night; and another Book for the Parcels vend above Six Pounds; which latter Parcels must not be sold without a Permit from the Excise Officer; which Books are to be

be deliver'd to them by the Office, and to be open to the Inspection of the Officer. Offender forfeits 100*l*.

By a Statute in the 11th of Geo. I. it was farther enacted,

That if on Demand of any Excise Officer, between Five in the Morning and Eleven in the Evening, with or without a Constable; or between Eleven in the Evening and Five in the Morning, with a Constable or Peace Officer; the Door of a House be not immediately open'd, (that is, of those who deal in Candles) and the Officer be not immediately permitted to enter the same; and if on his Demand, being enter'd, all Chests, Boxes, &c. are not immediately open'd; and he be not permitted quietly to search all such Houses, and also all Chests, &c. or if by keeping such Houses, or such Chests, &c. lock'd or otherwise fasten'd, or if by any other Means the Officer shall be obstructed or molested in such Searching, the Offender shall forfeit 500*l*.

If any Maker of Candles shall make or prepare to make any Course of Candles, without giving to the proper Officer a Declaration in Writing of such his Intention, and of the Hour he begins to work at, and all the Particulars, as to Quantity of such intended Course of Candles, he shall forfeit 50*l*.

If Candles shall be found in Custody of a Maker, which are not mention'd in the Entries made by him, and the Excise Officer hath not had any Account of the same, the Chandler shall be charged with the Duty; and in Case of Failure of Payment, with the double Duty; unless he can prove that the Duty was ever paid by him before, or that he had bought the same of Persons who can prove that proper Notice was given to the Officer when such Candles were made.

Excise Officers have Power to demand the Assistance of any Constable, &c. on Occasion, and if any Constable, &c. shall refuse the same, he shall forfeit 20*l*.

Having premised this Abstract of the Excise Laws, we shall enter on the History of what passed relating to them in this Session of Parliament. Before the Parliament sat, a strong Report went about, that a Scheme would be there proposed, for extending the Laws of Excise to several Commodities which were not then subject to them; by which Means, it was said, a great Addition would be made to the Revenue, without Injury to the Subject. For a Complaint was set on Foot by the Patrons of that Scheme, that a vast Diminution

nution was made in the Revenue which was intended to arise from the Customs or Duties paid on the Importation of divers Commodities received from abroad ; not only from the Quantity of Goods stole ashore privately, but also from several other Frauds, which it was said that Traders, who were not of honest Principles found Ways to invent, in order to cheat the Crown of its Dues. Now, this Loss to the Crown and the Publick, it was alledged, that the collecting those Duties by Way of Excise would prevent. For by the Laws then in Use, the Officers of the Revenue had no Power, without a positive Information upon Oath that such Commodities were run, to meddle with any Goods that were found ashore, how much Cause soever they might have to think that the Duties were not paid for them. But now, if the Collectors of the Duties had Liberty to follow Goods, as they passed continually from Hand to Hand, till they ended at the Consumer, it was reasonable to imagine, that great Quantities of Goods must become liable to the Publick Demands, which had otherwise escaped Duty free. And it was argu'd, that this Surplus must needs appear very considerable to any Man who reflects what vast Quantities of Goods escape the Diligence of the Custom-house Officers ; and it was expected this Surplus would come out so very great, as, when added to the Advantages arising from the Prevention of other Frauds which this Scheme was also to put a Stop to, must make a mighty Figure in the Publick Revenue. This Speculation, it was said, was also confirmed by an Experiment made not long before in the Duties on Coffee, Tea, Chocolate, and other Commodities, by the Collecting of which in the Way of Excise, a very great Augmentation had been found in the Revenue arising from them. And it was said to be computed that an Increase of no less than 3 or 400,000 *l. per Ann.* would thus accrue to the Nation, and this only at the Expence of those Persons who endeavoured to enrich themselves by defrauding it ; and without the least Injury, but rather with Benefit to the fair Trader.

The Commodities particularly mention'd, as design'd to be thus visited, were Tobacco and Wine ; and as a great Revenue arises from these in the former Method of collecting the Duties, it was supposed that this expected Augmentation from the Alteration of that Method, would soon come out very considerable.

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The former Extensions of the Excise Laws had passed with the utmost Silence, as to any publick Notice taken of them. But as soon as this Scheme began to appear, it was receiv'd with a Dislike and Opposition, the most universal that can be imagin'd. The Merchants and Traders of the City of London assembled with the greatest Unanimity, and resolved, by all dutiful Methods, to oppose to the utmost any Extension of the Laws of Excise. They deputed a Committee of their Body to wait upon the Representatives in Parliament for the City of London, to desire them to oppose any such Scheme, if it should be brought into the House of Commons. The same was done by the Merchants of Bristol and Liverpool. The Lord Mayor of London assembled a Common-Council upon the Occasion; in which it was agreed *nem. con.* to recommend it to the City Members, to make the utmost Opposition to this Design. The Reasons they gave for this, are contain'd in the following Representation.

The REPRESENTATION of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, to Sir John Eyles, Mr. Alderman Parsons, Sir John Barnard, and Mr. Alderman Petry, their Representatives in Parliament.

THIS Court doth apprehend, from the Experience of the Laws of Excise now in Being, that extending those Laws to any Commodities not yet excised, must necessarily be very prejudicial to Trade, both as it will probably diminish the Consumption of the Commodity to be excised, and subject the Fair Trader to the frequent and arbitrary Visitation of Officers, and Judicial Determination of Commissioners removeable at Pleasure, from whom there is no Appeal.

That the Extension of such Laws must necessarily increase the Number and Power of Officers, which will be inconsistent with those Principles of Liberty, on which our happy Constitution is founded; and will farther deprive the Subjects of England of some of those valuable Privileges, which have hitherto distinguished them from the neighbouring Nations.

Wherefore, this Court doth earnestly recommend it to you their Representatives, to use your utmost Diligence in opposing a Scheme of this Nature, should any such be offer'd in Parliament, in any Shape, or however limited in its first Appearance; being fully convinced,

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that

that an Inland Duty on Goods now rated at the Custom-house, cannot be effectually collected even with the Extension of the Powers, or the severest Exercise of all the Rigours of the present Laws of Excise.

Representations of the same Kind came from most Counties and Boroughs in *England*, to their several Representatives in Parliament, recommending them to oppose this talk'd of Scheme, if it should be set on Foot; a Practice which though of ancient Standing, had been long out of Use, and almost out of Memory; and in a Word, the whole Sense of the Nation seemed entirely bent against such a Project.

Nevertheless, on the 16th of *March*, a Motion was made in the House of Commons, for bringing in a Bill for collecting the Duties on Tobacco by Way of Excise, and an Order was made, that it should be prepar'd and brought in accordingly. *April* 4, it was read a first Time, and order'd for a 2d Reading on the 11th of *April*. In the mean Time, the Alarm rais'd by the Report of it, was not at all lessen'd by the bringing of it in; and as Bills introduced from the Quarter this came from, did not use to fail, it caus'd the highest Fermentation among Persons of all Sorts equally, that has been seen since the Days of *Dr. Sacheverell*. The Lord Mayor of *London* call'd a Common-Council, at which it was agreed unanimously, that the City should present a Petition against the Bill. This Petition is so curiously drawn up, as very justly to demand that we should entertain the Reader with it. It set forth, 'That the Petitioners, on Occasion of the Bill depending in this House, for repealing several Subsidies, and an Impost now payable on Tobacco of the *British* Plantations, and for granting an Inland Duty in lieu thereof, presume in all Humility to express to this House, as they have already done in some Measure by their Representation to their Members, the universal Sense of the City of *London* concerning any further Extension of the Laws of Excise; that the Burthen of Taxes already impos'd on every Branch of Trade, however chearfully born, is severely felt; but the Petitioners apprehend, that this Burthen will grow too heavy to be born, if it be increased by such vexatious and oppressive Methods of levying and collecting the Duties, as they are assur'd by melancholy Experience, that the Nature of all Excises must necessarily produce; that the Merchants, Tradesmen,

' Tradesmen, and Manufacturers of this Kingdom, have
 ' supported themselves under the Pressure of the Excise
 ' Laws now in Force, by the comfortable and reasonable
 ' Expectation, that Laws, which nothing but publick
 ' Necessity could be a Motive to enact, would be repealed
 ' in Favour of the Trade of the Nation, and of the Li-
 ' berty of the Subject, whenever that Motive should be
 ' removed, as the Petitioners presume it effectually is,
 ' by undisturb'd Tranquillity at Home, and a general
 ' Peace so firmly establish'd Abroad : That if this Ex-
 ' pectation be entirely taken away ; if the Excise Laws,
 ' instead of being repealed, are extended to other Species
 ' of Merchandize not yet excis'd ; and a Door open'd
 ' for extending them to all ; the Petitioners cannot, in
 ' Justice to themselves, to the Merchants, Tradesmen,
 ' and Manufacturers of the whole Kingdom, and to the
 ' general Interest of their Country, conceal their Ap-
 ' prehension, that the most fatal Blow which was ever
 ' given, will be given on this Occasion, to the Trade
 ' and Navigation of *Great Britain* ; that That great
 ' Spring, from which the Wealth and Prosperity of the
 ' Publick flows, will be obstructed, and the Mercantile
 ' Part of the Nation will become not only less able to
 ' trade to Advantage, but unwilling to trade at all ;
 ' since no Person, who can enjoy all the Privileges of a
 ' *British* Subject out of Trade, even with a small For-
 ' tune, will voluntarily renounce some of the most va-
 ' luable of those Privileges by subjecting himself to the
 ' Laws of Excise ; that the Petitioners are able to shew
 ' that these their Apprehensions are founded both in
 ' Experience and in Reason ; and therefore praying,
 ' that the House will be pleased to hear them by their
 ' Counsel against the Bill.

Accordingly the said Petition was carry'd with the
 usual Formalities ; being also attended by a numerous
 Train of Coaches of Merchants and other Citizens.
 Besides this, the Merchants of *Bristol* sent up a special
 Deputation, expressly to solicit against it ; and new Re-
 presentations were continually coming up from the
 Counties and Boroughs to their Members.

At last, on the 11th of *April*, the Bill was proposed
 to be read a second Time in the House of Commons ;
 but the Debates grew so high within Doors, and seem'd
 so little favourable to the Bill, the Number of its
 Friends continually decreasing, and besides, the Uneasi-
 ness without was so great, (so as even to threaten the
 most

most fatal Consequences, had the Matter been farther pushed) that it was agreed by the Patrons of the Bill, to postpone the second Reading of it to the 12th of *June*, before which Time every one supposed the Parliament would rise; which was to drop it in the softest Manner. Great Endeavours were used by the opposite Party to have it rejected with some very severe Animadversion; and strange Reports pass'd in *London*, of the Danger in which the Authors of it were. But the Truth soon being known, put a Stop to those flying Rumours. However, as soon as the News came into the City, that the Bill was postponed, the Populace broke out into such a Wildness of Rejoicing, as went beyond all Limits of Decency, and even to Licentiousness; for besides the common Expressions of Bonfires, Illuminations, and Ringing of Bells, an Effigies was burnt at *Temple-Bar*, and at other Places, which was designed to represent a Great Man, who was counted the main Promoter of the Scheme; and whose Rank only (to say no more) ought to have preserved him from such an injurious Outrage. Nor was he only attack'd in Effigie, but even insulted in his Person, as he went thro' the Court of Requests, in his Passage from the House to his Coach; for rude Hands were laid upon him, and had he not been defended by some of his Friends, the Consequence might have been something too shocking to think of. And the same Rejoicings, with the same Licentiousness, were used in most Places in *England*.

It may be just proper to observe, that tho' the Parliament did sit beyond the 12th of *June*, yet by an Adjournment of two or three Days, that Day was skipp'd over without Sitting; and thus the Order of that Day being never call'd for, no Mention was made again of this Affair. And the Prorogation of the Parliament, which happen'd immediately after, leaves no Room for bringing it on the Stage again.

Having now given the History of this famous Bill, we believe our Readers will not be sorry to find the same here at large.

A BILL

A BILL for repealing several Subsidies and an Impost now payable on Tobacco of the British Plantations, and for granting an Inland Duty in lieu thereof.

WH^{EREAS} by the Act of Tonnage and Poundage, made in the Twelfth Year of the Reign of King Charles II. and the Book of Rates thereto annex'd, a Duty of one Penny per Pound, commonly call'd *The Old Subsidy*, was laid upon all Tobacco of the British Plantations imported; And by the same Act, and Book of Rates, an additional Duty of one Penny per Pound was laid on the same Tobacco imported; And by another Act made in the first Year of the Reign of the late King James II. a Duty or Impost of three Pence per Pound was laid on the same Tobacco imported; And by another Act made in the 9th Year of the Reign of his late Majesty King William III. a further Subsidy of one Penny per Pound was laid on the same Tobacco imported; And by another Act made the second Year of the Reign of her late Majesty Queen Anne, a Duty or Subsidy of one third Part of a Penny per Pound was laid on the same Tobacco imported. All which Duties on Tobacco imported, as before mention'd, amounting in the whole to Six Pence and one third Part of a Penny per Pound Weight, are by several subsequent Acts since continu'd, and are now in Force.

And whereas by the said Acts, or some of them, diverse Provisions were made for the ascertaining, levying, collecting, paying, and securing the said Duties; and also for making certain Abatements, Discounts, and Allowances out of the same, or out of the Weight of the Tobacco upon which the said Duties were charged, and for drawing back such Duties upon Exportation of the Tobacco charged therewith, which by Experience have been found liable to great Frauds and Abuses, to the Prejudice of Trade, and Diminution of the Revenue: For Remedy whereof,

We your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, do most humbly beseech your Majesty, that it may be Enacted, and be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Day of the

the said several Subsidies, Duties and Impositions upon all Tobacco of the *British* Plantations, to be imported after the said Day, (except the said further Subsidy of one Penny *per* Pound, granted by the said Act made in the 9th Year of the Reign of his late Majesty King *William III.*) shall cease, determine, and be no longer paid or payable; and that all Provisions made by the said Acts, or any of them, for ascertaining, levying, collecting, paying, or securing the said Duties hereby determin'd, or for making any Abatements, Discounts, or Allowances out of the same, or out of the Weight of the Tobacco on which the said Duties were charged, or for drawing back any such Duties hereby determined, as aforesaid, upon Exportation of the Tobacco charged therewith, shall be, and are hereby repealed; any Thing in the said above mention'd Acts, or any of them, or any other Act or Acts of Parliament to the contrary thereof in any wise notwithstanding. And we your Majesty's said dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, have, in lieu of the said Duties hereby determin'd, freely and unanimously resolved to give and grant unto your Majesty the Duty and Imposition herein after-mention'd, and do most humbly beseech your Majesty, that it may be Enacted, and be it Enacted by the Authority aforesaid, that from and after the said Day of in lieu of the said Duties hereby determin'd, the Inland Duty herein after mention'd, be imposed, levy'd, collected, and paid to your Majesty, your Heirs, and Successors, for and upon all Tobacco from thenceforth imported into, and sold for Home Consumption, or consumed within *Great Britain*, or any Part thereof; That is to say, upon every Pound of Tobacco of the *British* Plantations, imported into, and sold for Home Consumption, or consumed within this Kingdom, the Duty or Sum of

And for the better ascertaining, charging, collecting, levying, raising, and securing the Rates and Duties by this Act set and imposed upon all Tobacco of the *British* Plantations, to be imported into, and sold for Home Consumption, or consumed within *Great Britain*, from and after the said Day of Be it further Enacted, by the Authority aforesaid, That such Commissioners, or Persons, as his Majesty, His Heirs and Successors, or any or more of the Commissioners of his Majesty's Treasury, or the High Treasurer of

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Great Britain for the Time being, shall, from Time to Time, by one or more Commission or Commissions for that Purpose appoint, shall be his Majesty's Commissioners for the Management and Receipt of the said Inland Duty by this Act set and imposed; which said last mentioned Commissioners or of them, shall hereby have Power, by Commission or Commissions under their respective Hands and Seals, to substitute and appoint under them, such Receivers-General, Collectors, Comptrollers, Surveyors, and other Officers as shall be necessary or requisite for the Purposes aforesaid. And that the said Commissioners and Officers so to be appointed for the said Inland Duty upon Tobacco hereby granted, shall have out of the same, such Salaries and Rewards, for their respective Services in Relation to the same Duty, as the said Commissioners of the Treasury, or any or more of them, or the High Treasurer for the Time being, shall from Time to Time think reasonable to establish or allow in that Behalf; And that the said Commissioners, to be appointed for the said Inland Duty hereby imposed, shall from Time to Time cause all the Moneys to arise by or from the said Duty (the necessary Charges of raising, levying, collecting, and accounting for the same, excepted) to be paid into the Receipt of his Majesty's Exchequer, distinctly and apart from all other Branches of the publick Revenues, for the Purposes in this Act expressed, under such as are herein after provided and enacted, in case of diverting or misapplying any Moneys by this Appropriated.

And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Clauses, Matters and Things which in and by an Act made in the 12th Year of the Reign of King Charles II. [intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*] or by any other Law now in Force, relating to his Majesty's Revenue of Excise upon Beer, Ale, and other Liquors, are provided, settled, or establish'd, for managing, ascertaining, raising, levying, collecting, mitigating, adjudging, or recovering, and paying the Duties thereby granted, or any of them, other than in such Cases for which other Penalties or Provisions are prescribed by this Act, and subject to the Alterations herein

herein after mention'd, shall be exercised, practised, apply'd, used, and put in Execution, in and for the managing, ascertaining, raising, levying, collecting, mitigating, adjudging, recovering, and paying the Inland Duty by this Act imposed, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, and Directions, Methods, Clauses, Matters and Things were particularly repeated, and again enacted in the Body of this Act.

And for the better securing the said Inland Duty by this Act granted upon the said Tobacco, ~~It is hereby further enacted~~, by the Authority aforesaid, that from and after the said Day of all Tobacco imported into this Kingdom, from any of the *British* Plantations, upon the Entry thereof at the Custom-house, and duly charging the same with the said further Subsidy of one Penny *per* Pound granted by the said Act of the 9th Year of the Reign of the late King *William III.* in Manner herein after mention'd, shall be forthwith carry'd and put into such Warehouse or Warehouses as shall be for that Purpose provided at the Charge of the Importer or Owner thereof, and approved of by the Commissioners to be appointed for the said Inland Duty for the Time being, or of them, in Case such Importation be in the Port of *London*; And in Case such Importation shall be in any Out-Port, then by such Officer or Officers of the said Inland Duty as shall be appointed by the said Commissioners for that Purpose, then within the District where such Importation shall be respectively, and shall not be taken or carry'd out from thence upon any Account whatsoever, otherwise than is herein after mention'd, That is to say, such of the said Tobacco as shall be sold to be consumed in *Great Britain*, or shall be intended to be consumed in *Great Britain*, shall be deliver'd out upon Payment of the said Inland Duty by this Act imposed, in Manner following, that is to say, The Proprietor or first Buyer thereof, or some Persons to be appointed by him or her, shall make an Entry with the Receiver or Collector of the said Inland Duty by this Act granted, appointed to receive the same within the Cities of *London* and *Westminster*, of so much Tobacco remaining in any such Warehouses as aforesaid, within the said Cities of *London* and *Westminster*, or the Weekly Bill of Mortality, as he or she intend to take out of such Warehouse or Warehouses,

Warehouses, and pay down in ready Money to such Receiver or Collector the Inland Duty by this Act granted; And in all other Places of *Great Britain*, the Proprietor, or first Buyer, or the Person appointed by him or her for that Purpose, shall make the like Entries at the Office for the said Inland Duty to be appointed, which shall be nearest to the Warehouse or Warehouses, into which the said Tobacco shall have been carry'd upon Importation and Entry thereof at the Custom-house, as aforesaid, and shall pay down in ready Money the said Inland Duty, by this Act granted, to the Receiver or Collector to be there appointed to receive the same; and upon producing a Warrant or Warrants, Certificate or Certificates, sign'd by such respective Receiver or Collector, certifying that he hath received the said Inland Duty by this Act granted to the Keeper or Keepers of such Warehouse or Warehouses, into which the said Tobacco shall have been put upon Importation and Entry thereof as aforesaid, and upon producing a Certificate from the Collector or principal Officer of the Customs, of the Payment of the said further Subsidy for such Tobacco, according to the Provision herein after mention'd, the said Keeper or Keepers of such Warehouse or Warehouses shall deliver thereout so much of the said Tobacco to be sold or intended for Home Consumption within this Kingdom, as shall be mention'd and express'd in such Warrant or Warrants, Certificate or Certificates, respectively to have paid the said Inland Duty hereby granted, and the said further Subsidy; And the respective Keeper or Keepers of such Warehouse or Warehouses shall thereupon give to the Proprietor, or first Buyer, or the Person by him or her to be appointed as aforesaid, a Permit or Certificate to accompany the said Tobacco so deliver'd out, which Permit or Certificate shall be also sign'd by an Officer attending the said Warehouse or Warehouses to be appointed by the Commissioners for the said Inland Duty for the Time being, or of them, to prevent the seizing thereof, and to be produced to the Officer of and for the said Inland Duty for the Division or Place where such Tobacco shall be carry'd within the Time in such Permit or Certificate to be expressed and limited; during which Time and no longer, such Permit or Certificate shall continue in Force.

And as to such Part of the said Tobacco as shall be intended for Exportation to Parts beyond the Seas, the same

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same shall be deliver'd out of such Warehouse or Warehouses, unto the Proprietor, first Buyer, or other Person to be appointed in that Behalf, upon sufficient Security to be first given by Bond to his Majesty, his Heirs or Successors, with Sureties; which Security the Commissioner or Collector, with the Approbation of the Comptroller of the Customs for the Time being, in each respective Port, are hereby required and empower'd to take, that the same and every Part thereof, shall be exported and not relanded in *Great Britain*; which said Security shall be discharged without Fee or Reward, upon producing such Certificate as is herein before mention'd to such Officer or Officers as aforesaid; that is to say, for such of the Tobacco as shall be entred for or landed in *Ireland*, the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, the Condition of the Bond shall be to bring a Certificate in Discharge thereof within

from the Date of the Bond, to be signed by the proper Officers of the Customs residing there: And for such Tobacco as shall be entred for any other Place, to bring a Certificate under the Common Seal of the chief Magistrate in any Place or Places beyond the Seas, or under the Hands and Seals of two known *British* Merchants, then being at such Place or Places, importing respectively that such Tobacco was there landed, and testifying the landing thereof; or upon Proof by credible Persons that such Tobacco was taken by Enemies, or perished in the Seas, the Examination and Proof thereof being left to the Judgment of the said Commissioners of the Customs for the Time being.

Provided always, and be it enacted by the Authority aforesaid, That if any such Proprietor, first Buyer, or other Person, shall be minded to manufacture any Part of such Tobacco as shall be so taken out for Exportation, it shall and may be lawful for such Proprietor, first Buyer, or other Person, to manufacture such Tobacco, giving Notice to the Officer or Officers for the said *Inland Duty*, appointed to attend the Warehouse out of which such Tobacco shall be so taken, of the Place where he, she, or they, intend to manufacture the said Tobacco.

And it is hereby further enacted, That such Tobacco so manufactured for Exportation, shall be kept separate and apart from all Tobacco for Home Consumption, and that

Days before the same shall be exported, Notice shall be given thereof to the Officer or Officers

for the said Inland Duty, that he or they may see to the packing up the same, and attend the same to be put on Board the Ship or Vessel which is to receive the same, under the Care and Inspection of the Searchers or proper Officers of the Customs; and the Exporter of such manufactur'd Tobacco, shall give such Security by Bond, with like Condition for exporting and not relanding the same, and for producing a Certificate of the landing thereof in Parts beyond the Seas, in such Manner as is herein before required in Cases of Tobacco taken out of any Warehouse for immediate Exportation; And if any Proprietor, first Buyer, or other Person, shall not keep all such Tobacco so manufactured, or intended to be manufactured for Exportation, separate and apart from all Tobacco for Home Consumption, or shall export the same, without giving such Notice and Security as aforesaid, every Person so offending shall the said Tobacco, and together with and also the Sum of

And it is hereby further enacted and declared by the Authority aforesaid, That the single Value and Worth of such Tobacco so shall from Time to Time be deemed and taken to be according to and at the Rate and Rates, Price and Prices, as the best Tobacco of the like Sort and Kind do or shall at such respective Time or Times bear and sell for in *London*.

And be it further enacted by the Authority aforesaid, that before any such Proprietor, first Buyer, or other Person, shall be permitted to export such Tobacco, he shall declare upon Oath before the Collector and Comptroller of the Port, from whence the same shall be exported on the Certificate, before the taking out his Cocquet, and before he be suffer'd to give Bond as aforesaid, that the Tobacco then about to be shipp'd, is really and truly by him intended to be exported to Parts beyond the Seas in the Ship therein mention'd, and is not intended to be relanded in any Part of *Great Britain*.

And for preventing all clandestine importing or bringing of any Tobacco into *Great Britain*, Be it further enacted by the Authority aforesaid, that if any Person or Persons, Bodies Politick or Corporate, from and after the said Day of shall import or bring in any Tobacco into any Port of the said Kingdom, which ought to be secured in such Warehouses as aforesaid, and shall not make due Entries thereof at the

Custom-house, and bring, or cause the same to be brought, into such Warehouse or Warehouses as are, in Pursuance of this Act, to be approv'd of by the Commissioners for the said Inland Duty, for keeping the same 'till Payment of the said Inland Duty, and the said further Subsidy, or the Exportation thereof respectively; or shall reland, or cause to be relanded, any Tobacco which shall be shipped for Exportation after the same shall have been deliver'd out of any Warehouse as aforesaid, all such Tobacco shall be, and is hereby declared and adjudged to be

and the same shall and may be by any Officer or Officers of the Customs, or for the said Inland Duty hereby granted; and the Person or Persons, Bodies Politick or Corporate, offending therein, shall together with

be **Prohibited** always, and it is hereby further enacted by the Authority aforesaid, That if any Dispute shall arise, whether the Customs or Inland Duty payable for any Tobacco to be seized in pursuance of this Act, have been paid, or that the same or any Part thereof, hath been condemned as forfeited, the Proof thereof shall lie on the Owner or Claimer thereof, or the Person or Persons on whom the same shall be found, and not on the Officer.

And for preventing the clandestine carrying any such Tobacco out of the Warehouses, to be approved of by the Commissioners for the said Inland Duty as aforesaid, Be it enacted by the Authority aforesaid, that the Keeper or Keepers of such Warehouse or Warehouses, to be appointed by the Commissioners of the said Inland Duty, granted by this Act to attend the same, shall keep one or more Book or Books, wherein they shall severally and fairly enter in Writing an exact, particular and true Account of such Tobacco, which from Time to Time shall be brought into or carry'd out of the Warehouse or Warehouses to which he or they shall respectively belong, and of the Days and Times when the same shall be so brought in or carry'd out; and how much thereof was deliver'd out to be consumed in *Great Britain*, and how much for Exportation, and how much to be manufactur'd for Exportation; and the Names of the respective Person or Persons, to whom, or for whose Use, the same was deliver'd out; and shall at the End of every Months, or oftner if required, transmit in Writing an Account thereof upon Oath to the Commissioners for the said Inland Duty for the Time being, together with

with an exact Account of how much shall be remaining in the Warehouse or Warehouses; And the said Commissioners for the said Inland Duty are hereby required and enjoined, within

after the said Accounts shall be transmitted to them as aforesaid, to appoint

or more Person or Persons to inspect the said Book or Books, and the said Warehouse or Warehouses, and to examine the said Accounts; and if upon such Examination, or otherwise, it shall appear that any Tobacco was deliver'd out, otherwise than as aforesaid, or before Payment of the Inland Duty, and the said further Subsidy for such of the said Tobacco as shall have been taken out to be consumed in *Great Britain*, or giving such Security as aforesaid for such Part of the said Tobacco as shall have been deliver'd out for Exportation, or giving Notice of the Place intended for manufacturing such Tobacco as shall have been deliver'd out to be manufactured for Exportation; then the Keeper or Keepers of such Warehouse or Warehouses, and the Officer or Officers for the said Inland Duty attending the same, offending herein, shall not only be but shall also for every such Offence, the Sum of

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Proprietor and Proprietors of the Tobacco so to be lodged in any such Warehouse or Warehouses, to affix one Lock to every such Warehouse, the Key whereof shall remain with such Proprietor or Proprietors; and to and for the Officer or Officers, appointed by the Commissioners for the said Inland Duty to attend such Warehouse or Warehouses, to affix one other Lock upon every such Warehouse, the Key of which shall remain with the said Officer or Officers; and the said Proprietor or Proprietors shall and may, in the Presence of the said Keeper or Keepers of such Warehouse or Warehouses, or of the Officer or Officers for the said Inland Duty appointed to attend the same (who are hereby obliged and required to attend at all such seasonable Times for that Purpose) view, sort, separate, and receive out of such Warehouse or Warehouses, all such of his Tobacco therein lodged, intended either to be consumed in *Great Britain*, or exported to foreign Parts, or any Part thereof, in such Manner and upon such Terms and Conditions as are in either of the said Acts by this Act before directed and prescribed; And if any such Warehouse-keepers or other Officers shall

shall wilfully neglect or refuse to attend at all seasonable Times as aforesaid, when required so to do, every such Warehouse-keeper or other Officer, so neglecting or refusing, shall be subject to such as aforesaid.

~~Provided~~ always, and be it enacted by the Authority aforesaid, that the said further Subsidy be still payable at the Custom-house, subject to the Alterations herein after-mention'd, that is to say, Whereas by the said Act, made in the 9th Year of the Reign of his late Majesty King George I. an Allowance of 25 *l.* *per Cent.* is directed to be made out of the said further Subsidy (amongst other Duties on Tobacco therein mention'd) and to be deducted and allowed upon the Entry of the Importer, paying down such further Subsidy, which Allowance reduces the same in Value to three Farthings for every Pound of such Tobacco; Be it enacted by the Authority aforesaid, that from and after the said

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the said further Subsidy of one Penny *per* Pound, upon Tobacco of the *British* Plantations to be imported after the said Day, shall be reduced to *per* Pound, without making the said Allowance of 25 *l.* *per Cent.* thereout; and the same so reduced to *per* Pound, clear of all Deductions, shall be levy'd, paid and secured to his Majesty during his Life, in Manner following, that is to say, after the Master, or other Person having Charge of any Ship bringing Tobacco into any Port of this Kingdom, shall have made a Report of his Ship, the Merchant Importer, or some other Person appointed by him or her, shall take out a Bill or Bills at Sight, to be granted in such Manner as is directed by an Act passed in the 14th Year of the Reign of King Charles II. [intituled, *An Act for preventing Frauds and regulating Abuses in his Majesty's Customs*] by the Collector and Comptroller of such Port; but without any Security to be given, or Deposit made for such further Subsidy; the said Merchant or other Person first specifying the Number of Hogsheads, or other Vessels or Package, containing such Tobacco, with the Marks and Numbers thereof; and by Virtue of such Bill or Bills at Sight, the Hogsheads, or other Vessels or Package, containing such Tobacco, shall be landed, and shall be weighed and number'd progressively in the Presence of the Land-waiters appointed to attend such Ship, and one or more Officer or Officers for the said Inland Duty; and thereupon such Tobacco shall be deliver'd
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into the Care of an Officer for the said Inland Duty, together with a Ticket sign'd by the Land-waiters and Officer or Officers for the said Inland Duty, in whose Presence such Tobacco was so weigh'd, containing the Marks, Numbers, and Contents of each Cask, or other Vessel or Package, by what Person enter'd, and out of what Ship; and such Officer for the said Inland Duty, into whose Care such Tobacco shall be deliver'd, shall see the same lodged in some Warehouse or Warehouses, to be approved by the said Commissioners or other Officers for the said Inland Duty, in pursuance of this Act, under the Care of the Keeper or Keepers of such Warehouse or Warehouses to be appointed as aforesaid, to whom, or one of them, the said Ticket shall be deliver'd; and upon the Back of such Bill or Bills at Sight, the proper Officer of the Customs shall certify to the Collector and Comptroller the Quantity of such Tobacco so landed, weigh'd and sent to such Warehouse or Warehouses, with the Marks, Numbers, and Contents of each Cask, or other Vessel or Package, containing the same; And the Collector and Comptroller shall insert the same in a proper Book or Books, to be kept for that Purpose at the Custom-House, and therein charge the Importer with the said further Subsidy so reduced to *per Pound*, clear as aforesaid, who shall stand charged therewith, 'till such Time as the said further Subsidy shall be paid in Money for the said Tobacco in Manner herein after mention'd, or shall be discharged upon delivering the said Tobacco out of such Warehouse or Warehouses for Exportation, or in order to be manufactur'd for Exportation, pursuant to the Direction of this Act.

And be it further enacted by the Authority aforesaid, that before any such Tobacco shall be taken out of any such Warehouse for Home Consumption, the Proprietor, or first Buyer thereof, shall make an Entry, with the Collector and Comptroller of the Customs at the Port wherein the said Tobacco shall have been imported, of so much Tobacco as such Proprietor or first Buyer intends to take out of any such Warehouse, either to be sold for Home Consumption, or to be consumed within this Kingdom; and shall upon such Entry pay down in ready Money to such Collector the said further Subsidy so reduced to *per Pound*, clear as aforesaid, for the Quantity of Tobacco for which he shall make such Entry; And the Keeper of such Warehouse shall not deliver, or
permit

permit to be deliver'd out of the same, any Tobacco to be sold for Home Consumption; or to be consumed within this Kingdom, until a Certificate signed by such Collector, Comptroller, or other proper Officer, shall be first delivered to him; importing that the said Collector hath received the said further Subsidy so reduced to per Pound clear, for all such Tobacco so to be deliver'd out, under the Penalty of the Value of such Tobacco, which shall be deliver'd out before Certificate shall have been deliver'd to him as aforesaid; And when any such Tobacco shall in due Manner, according to the Directions of this Act, be taken out of any such Warehouse for Exportation, or in order to be manufactur'd for Exportation, then upon producing a Certificate thereof, sign'd by the Keeper of such Warehouse appointed in pursuance of this Act, to the Collector of the Port wherein such Tobacco shall have been imported, the Charge upon such Importation in such Book or Books, shall be writ off and discharged, for so much of such Tobacco as shall be expressed in such Certificate.

And be it further enacted by the Authority aforesaid, That: if any Tobacco of the *British* Plantations shall after the said Day of be unshipped, with Intention to be laid on Land within this Kingdom, before a Bill or Bills at Sight shall have been granted for the same by the Collector and Comptroller of the Customs as aforesaid, all such Tobacco so unshipp'd, with Intention to be laid on Land, contrary to the true Meaning hereof, shall be and also the Persons who shall be assisting or otherwise concerned in unshipping the same, or to whose Hands the same shall knowingly come after the unshipping thereof, shall the Value thereof, together with the made Use of in the Landing, Removing, Carriage, or Conveyance of any such Tobacco

of all which

shall be to the Use of his Majesty, and the other to him or them that shall seize or sue for the same; to be recover'd by Bill, Plaint, or Information in the Court of *Exchequer* at *Westminster*, for such Offences as shall be committed in that Part of *Great Britain* call'd *England*; and in the Court of *Exchequer* at *Edinburgh*, for such Offences as shall be committed in that Part of *Great Britain* call'd *Scotland*; wherein

wherein no Effoin, Protection, or Wager of Law, shall be allow'd.

And be it further enacted by the Authority aforesaid, that on or before the said Day of all and every Tobacconist, Grocer, Chandler, and all and every other Person or Persons, Bodies Politick or Corporate, who shall then be a Seller of or Dealer in such Tobacco; and all and every Cutter, Stripper, or other Manufacturer of Tobacco, upon his own Account, or for the Use of any other Person whatsoever, shall make a true and particular Entry in Writing, of all Warehouses, Storehouses, Rooms, Shops, Vaults, Cellars, and other Places, by him, her, or them respectively made Use of, for the keeping, cutting, stripping, or otherwise manufacturing any Tobacco, at the Office to be appointed for the said Inland Duty hereby granted, within the Compass or Division wherein such Warehouses, Storehouses, Rooms, Shops, Vaults, Cellars, or other Places, shall be respectively situated; and also of all such Tobacco, manufactur'd or not manufactur'd, which, at the Time of making such respective Entries, shall be in such Warehouses, Storehouses, Rooms, Shops, Vaults, Cellars, or other Places, every or any of them; upon Pain of the Sum of for every such Warehouse, Storehouse, Room, Shop, Vault, Cellar, or other Place, which, from and after the said Day of shall be so made Use of by any such Tobacconist, Grocer, Chandler, Manufacturer, or other Person or Persons, Bodies Politick or Corporate, dealing in, selling, or manufacturing Tobacco, without making such Entry thereof as aforesaid; together with which shall be found therein, and also all and every the

And be it further enacted by the Authority aforesaid, That all and every Tobacconist, Grocer, Chandler, and all and every other Person or Persons, Bodies Politick or Corporate, who, after the said Day of shall become a Seller or Sellers of Tobacco, or who shall employ him, her, or themselves in dealing in or manufacturing the said Commodity either by wholesale or retail, shall, before he, she, or they shall take any Tobacco, intended either for Sale or Manufacture, into his, her, or their Custody, make a like particular Entry in Writing, of the several and respective Warehouses, Storehouses, Rooms, Shops, Vaults, Cellars, and other Places intended by him, her, or them

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respectively to be made Use of for the keeping, cutting, stripping, or otherwise manufacturing Tobacco; on Pain of the Sum of for every such Warehouse, Storehouse, Room, Shop, Vault, Cellar, or other Place so to be made Use of, without making such Entry as aforesaid; together with which shall be found therein, and the

And be it further enacted by the Authority aforesaid, that from and after the said Day of no Tobacco shall be brought into any such last mention'd Warehouse, Storehouse, Room, Shop, Vault, Cellar, or other Place made Use of for keeping or manufacturing Tobacco by any such Tobacconist, Grocer, Chandler, Manufacturer, or other Person or Persons, Bodies Politick or Corporate, without his, her, or their first giving Notice thereof to the Officer of the said Inland Duty hereby granted, of the Division or Place in which such Warehouse, Storehouse, Room, Shop, Vault, Cellar, or other Place, wherein such Tobacco is intended to be lodged or manufactured, is situated; and producing to the said Officer, and leaving with him, an authentick Certificate sign'd by the Keeper or Keepers of such Warehouse or Warehouses in which such Tobacco have been lodg'd upon the Importation and Entry thereof at the Customhouse, or by the Officer for the said Inland Duty within the Division from whence such Tobacco shall have been brought, that the Inland Duty by this Act charged upon the said Tobacco, and the further Subsidy, have been actually paid; or that the same had been condemned as forfeited, or was part of the Stock in Hand of some Tobacconist, Grocer, Chandler, Manufacturer, or other Person or Persons, Bodies Politick or Corporate, selling, dealing in, or manufacturing Tobacco as aforesaid, duly enter'd at the Office for the said Inland Duty according to the Directions of this Act; expressing the Quantity and Quality of the Tobacco so to be brought in, and in what Place the said Inland Duty was paid, or where the same had been condemned as forfeited, or of whose Stock in Hand such Tobacco was part, on Pain of and the Value thereof, together with

And be it further enacted by the Authority aforesaid, that from and after the said Day of no Tobacco shall be sold, utter'd, or exposed to Sale, unless when intended for immediate Consumption, in any

any Quantities not exceeding Ounces, but in some or one of the said Warehouses, Storehouses, Rooms, Shops, Vaults, Cellars, or other Places so enter'd as aforesaid; or in some or one of the said Warehouses, to be approved of by the Commissioners for the Inland Duty hereby granted for the keeping Tobacco up n ot after the Importation and Entry thereof at the Custom-house, upon Pain of and the Value thereof, together with

And be it further enacted by the Authority aforesaid, that from and after the said Day of where any Tobacco shall be sold or deliver'd out to be manufactured from any of the said entred Places, in any Quantity above the Weight of the Officer or Officers of the said Inland Duty, for the respective Divisions or Places where the same shall be so sold or deliver'd, shall be obliged and are hereby requir'd, upon Request of the Seller or Sellers, Proprietor or Proprietors thereof, without Fee or Reward, to give to the respective Buyer or Buyers, Manufacturer or Manufacturers thereof, Certificates in Writing, expressing the Quantities sold or deliver'd to be manufactur'd, and the Names of the respective Buyers, Sellers, Proprietors and Manufacturers, sign'd by the said Officer or Officers, certifying that the Duty thereon, charged by this Act, hath been paid, or that the said Tobacco hath been condemn'd as forfeited, or was Part of such Stock in Hand as aforesaid; which Certificate shall be produced to and left with the Officer or Officers for the said Duty, of the respective Divisions into which the said Tobacco shall be carry'd, to satisfy the said Officer or Officers that no Duties are to be answer'd for the same, and that the seizing thereof may be prevented.

And be it further enacted by the Authority aforesaid, That from and after the said Day of no Tobacco, exceeding the Quantity of be removed or carry'd from any Part of this Kingdom by Land or by Water, without a Permit or Certificate signed by one or more of the Officers of the said Inland Duty hereby granted, expressing the Names and Places of abode of the Buyers, Sellers, Proprietors, Manufacturers, or other Person or Persons, upon whose Account such Tobacco shall be removed; and certifying the Quantity and Kind of the said Tobacco, and that his Majesty's Inland Duty charged thereon by this Act, was duly paid and satisfy'd, or that the same had been condemn'd

demanded as forfeited, or was Part of such Stock in Hand as aforesaid; on Pain of which
shall be found carrying from one Place to another, without such Permit or Certificate, together with

And be it further enacted by the Authority aforesaid, that from and after the said Day of
the Commissioners for Management of the said Inland Duty are hereby empower'd and requir'd to provide and deliver to the respective Sellers of and Dealers in such Tobacco as aforesaid, printed Books of Permits, with Counterparts, for the sending out of any such Tobacco, not exceeding the Quantity of

nor under the Quantity of to any one
Person; in which Permit and Counterpart proper Blanks shall be left for inserting the Quantity that such Permit and Counterpart shall serve for, the Names and Places of Abode of such Seller of or Dealer in Tobacco, and of the Person to whom such Quantity is to be sent out, and also the Day of the Month and Year in which the same shall be sent out; which Book with Counterparts every such Seller of or Dealer in Tobacco is hereby required to keep, to be inspected by the Officer or Officers for the said Inland Duty; And every such Seller of or Dealer in Tobacco shall, before he, she, or they, send out any Quantity of Tobacco not exceeding

nor under by such Permit, first enter
in the Permit and Counterpart the Day of the Month and Year in which the same is sent out, and also the Names and Places of Abode of such Seller of or Dealer in Tobacco, and of the Person to whom the same is to be sent, and also the Quantity that such Permit and Counterpart shall serve for; And if any such Seller of or Dealer in Tobacco, shall send out any Quantity of Tobacco, not exceeding nor under

without such Permit, or first having
made all such Entries in the said Permit and Counterpart as aforesaid, shall not produce to the Officer for the said Duty the Counterparts of such Permits, and likewise the Permits that shall not have been made Use of when he shall demand the same, he, she, or they, shall for any the aforesaid Offences the Sum of

And be it further enacted by the Authority aforesaid, that from and after the said Day of
no Seller of or Dealer in any such Tobacco, shall send out with any one Permit, more than one Quantity of Tobacco, on Pain of

And

And be it further enacted by the Authority aforesaid, that if upon Inspection, the Counterpart or Counterparts of any Permit or Permits, that shall have been taken out of such Permit-Book for the sending out any such Tobacco as aforesaid, and examining the Stock of any such Seller of or Dealer in Tobacco, there shall not appear a suitable Decrease to answer the Quantity mention'd in the Counterpart or Counterparts of such Permit or Permits, the Surplus Quantity of Tobacco, over and above what ought to have been remaining in Stock, shall be deemed and taken to be brought in without any Permit, and shall be

All which Permits, or Certificates, shall contain and express a Time therein limited, during which, the same shall continue in Force, and within that Time shall be produced and left with the Officer for the said Inland Duty of the Division or Place to which such Tobacco shall be carry'd, to prevent the seizing thereof.

And it is hereby further enacted by the Authority aforesaid, that all and every Person or Persons, who shall sell or deal in Tobacco from and after the said

Day of, shall, and they are hereby directed and required to keep an Account of all such small Quantities or Parcels of Tobacco not exceeding the Weight of in one Parcel, as he or they shall sell or dispose of in each Day; and shall every Night enter into a Book to be kept for that Purpose, an Account of the gross Quantities of the said Commodity which have been by him, her, or them, sold and deliver'd in that Day, in such small Quantities or Parcels as aforesaid; And the said Sellers of or Dealers in Tobacco shall also keep one other Book, wherein they shall severally enter every Quantity and Parcel of Tobacco above the Weight of which he, she, or they shall sell and deliver in each Day; which said Books shall be, and are hereby directed to be prepared for the making such Entries as aforesaid, and delivered upon Demand, to the respective Sellers of and Dealers in Tobacco, by the Commissioners for the said Inland Duty, or by such Persons as the said Commissioners shall for that Purpose direct and appoint.

Provided always, that no Seller of or Dealer in Tobacco as aforesaid, shall have in his or her Custody more than one such Book of each Sort at the same Time; and that when the said Book or Books in his or her Custody shall be filled up respectively, the same being returned

to the Officer or Officers for the said Inland Duty, from whom they were severally received, upon the Oath, or, in case of a Quaker, upon the solemn Affirmation of such Seller or Sellers, Dealer or Dealers as aforesaid, or of his or their Servant or Servants who kept the same, and made the Entries therein, of the Truth of such Entries according to the best of his, her, or their Knowledge or Belief; and one or more new Book or Books shall thereupon be delivered to such respective Sellers, or Dealers in the Room of such Book or Books so returned, and so *toties quoties*, as often as such Book or Books shall be so filled up and returned as aforesaid; and the said Books so kept by such respective Sellers or Dealers of and in Tobacco, shall from Time to Time be produced and laid before the Officers for the said Inland Duty, as often as they shall call for or require the same, the better to enable them to keep Accounts of the Increase and Decrease of the Stocks of such respective Sellers.

And it is hereby provided and enacted, that if any such Seller or Dealer of and in Tobacco shall neglect or refuse to keep such Books, or to make such Entries therein, or to permit the Officers of the said Inland Duty to inspect them, or shall not return the said Books according to the Directions of this Act, or shall make any false Entry in such Book or Books, the Person or Persons offending therein shall, for every such Offence, the Sum of

And be it further enacted by the Authority aforesaid, that from and after the said Day of
It shall and may be lawful to and for the Officers for the said Inland Duty hereby granted, or any of them, from Time to Time, and at all Times by Day, to enter into into all and every the Warehouses, Storehouses, Rooms, Shops, Vaults, Cellars and other Places, made Use of for keeping or manufacturing Tobacco, by any Tobacconist, Grocer, Chandler, Manufacturer, or other Person or Persons, Bodies Politick or Corporate, selling, dealing in, or manufacturing Tobacco as aforesaid, and enter for that Purpose as aforesaid, and by Weighing or otherwise, to take an Account of the Quantity and Sorts of all Tobacco to be from Time to Time brought in, or remaining in such Places as aforesaid: In the Weighing whereof the Person or Persons selling, dealing in, or manufacturing Tobacco, and in whose Custody the same shall then remain, or some Person on their Behalf,

Behalf, shall be aiding and assisting to the said Officers, and shall keep sufficient just Weights and Scales to be made Use of by the said Officers for that Purpose: And if any such Person or Persons, Bodies Politick or Corporate, selling, dealing in, or manufacturing Tobacco, shall hinder or refuse the said Officers, or any of them, to enter into such his, her, or their Warehouses, Rooms, Shops, Vaults, Cellars, or other Places, to take such Account as aforesaid, or shall neglect to keep sufficient just Weights and Scales to be made Use of by the said Officers for the Purposes aforesaid; or shall keep any false Weights or Scales; or shall neglect or refuse to assist the said Officers in Weighing as aforesaid; or shall hinder or obstruct any of the said Officers in the Execution of the Powers and Authorities hereby given to him or them; the Person or Persons offending therein, and every of them, shall, for every such Offence, the Sum of

~~Prohibited~~, and is hereby further enacted by the Authority aforesaid, that in Case any Officer or Officers for the said Duty by this Act granted, shall have Cause to suspect that any Tobacco is fraudulently hid or concealed in any Place whatsoever, either enter'd for keeping or manufacturing the same as aforesaid, or not entered, with Intent to defraud his Majesty of his Duty thereon; then, and in such Case, if such Place shall be within the Cities of *London* or *Westminster*, or the Limits of the Weekly Bills of Mortality, upon Affidavit made by such Officer or Officers before the Commissioners for the said Inland Duty hereby granted, or any or more of them; or, in Case the same shall be in any other Part of *Great Britain*, upon the Affidavit made by such Officer or Officers before or more Justice or Justices of the Peace, of the County, Riding, Division or Place where such Officer or Officers shall suspect the same to be so hid or concealed, setting forth the Ground of such his or their Suspicion; It shall and may be lawful to and for the said Commissioners for the said Inland Duty, or Justice or Justices of the Peace respectively before whom such Affidavit shall be made, if he or they shall judge it reasonable, by special Warrant or Warrants, under his or their respective Hands and Seals, to authorize such Officer or Officers by Day or by Night; but if by Night, then in the Presence of a Constable, or other lawful Officer of the Peace, to enter into all and every such Place or Places,

Places, where he or they shall so suspect any such Tobacco to be fraudulently hid or concealed, and to all such Tobacco as shall be then and there found so fraudulently hid or concealed as together with

And if any Person or Persons whatsoever shall let, obstruct, or hinder any of the said Officers from entering such suspected Place or Places, or in the Tobacco which shall be therein found to be so fraudulently hid or concealed, or the said Person or Persons offending therein shall, for every such Offence the Sum of

And be it enacted by the Authority aforesaid, That if, from and after the said Day of any Person or Persons whatsoever shall assault, resist, oppose, molest, obstruct or hinder any Officer or Officers of the Customs, or for the Inland Duty by this Act granted, in the due seizing or securing of any Tobacco, which by any Officer or Officers of the Customs, or for the Duty hereby granted, shall or may be seized by Virtue or in Pursuance of this or any other Act or Acts now in force, or hereafter to be made; or shall by Force or Violence rescue, or cause to be rescued any such Tobacco after the same shall have been seized by such Officer or Officers as aforesaid; or shall attempt or endeavour so to do; or after such Seizure shall strike, break or otherwise destroy or damage any Vessels or Package wherein the same shall be contained; all and every the Party or Parties so offending shall, for every such Offence, the Sum of

And it is hereby further enacted by the Authority aforesaid, that all as well specifick as pecuniary, relating to the Inland Duty by this Act imposed, or to any Seizures made in Pursuance of this Act, shall be sued for, levied and recovered, or mitigated, by such Ways, Means and Methods, as any Fine, Penalty and Forfeiture is or may be recovered, or mitigated, by any Law or Laws relating to his Majesty's Revenue of Excise, or any of them, subject to the Alterations herein after mentioned; or by Action of Debt, Bill, Complaint or Information in any of his Majesty's Courts of Record at *Westminster*, for any Thing done in that Part of *Great Britain* called *England*, or the Court of Exchequer at *Edinburgh*, for any Thing done in that Part of *Great Britain* called *Scotland*; and that

of every such shall be to his Majesty,

Majesty, his Heirs and Successors, to be applied to such Uses as are herein after-mentioned, and the other thereof to him or them who shall seize, inform, or sue for the same.

Provided always, and it is hereby enacted by the Authority aforesaid, that such Persons as, for the Time being, shall in Pursuance of this Act be appointed Commissioners for the said Inland Duty on Tobacco, or of them, and also

Justice of the Peace within their respective Districts, shall have and exercise the same or like Jurisdiction, Power, and Authority, and may judge, determine, mitigate or order in all Cases and Matters relating to the said Inland Duty on Tobacco, as the Commissioners of Excise upon Beer and Ale, and other Liquors, or two Justices of the Peace may or lawfully can or ought to exercise, adjudge, determine, mitigate, or order in like Cases or Matters in relation to the said Duties of Excise; and that the Judgments which shall be so given in pursuance of this Act, by the said Commissioners and Justices of the Peace respectively, shall be and are hereby declared to be subject only to such Appeal as is herein after mention'd.

And it is hereby further enacted and declared, that such and the like Allowance for any damaged or mean Tobacco, which in pursuance of an Act made in the ninth Year of the Reign of his late Majesty K. George I. [intituled, *An Act for enabling his Majesty to put the Customs of Great Britain under the Management of one or more Commissions, and for better securing and ascertaining the Duties on Tobacco, and to prevent Frauds in exporting Tobacco, and other Goods and Merchandizes, or carrying the same Coastwise*] shall be cut off and separate from the sound, in order to be burnt, or otherwise publickly destroy'd, as in and by the same Act is appointed to be made, shall continue in Force for or in Respect of Tobacco of the *British* Plantations to be imported from and after the said Day of and shall and may from thenceforth be made by the proper Officers of his Majesty's Customs for the Time being; and, on such Certificate thereof from the said Officers as is now in Use, the said Allowance shall be paid by the said Commissioners of the Inland Duty, out of the Moneys arising by this Act, any Thing herein contained to the contrary thereof notwithstanding.

Prohibited always, and it is hereby enacted by the Authority aforesaid, that every Person who shall be appointed a Commissioner for the Duty by this Act granted, and every subordinate Officer under such Commissioners, who shall receive any Salary or Allowance in respect of his or their Office, shall, before he or they shall act in their respective Trust, take an Oath for his or their due and faithful Execution of the same according to this Act; which Oath shall and may be administered to any Commissioner, by any other Person who shall be appointed a Commissioner as aforesaid, and to the said Officers respectively by any of the said Commissioners, or by Justice of the Peace, who shall give to such Officer a Certificate thereof *gratis*.

And to the End the Duty upon Tobacco by this Act granted, may be duly and certainly raised, and the same (except the necessary Charges of executing this Act) may be justly and duly brought into the Receipt of his Majesty's *Exchequer*, according to the true Meaning hereof, It is hereby enacted by the Authority aforesaid, that the respective Commissioners and Officers to be appointed for managing, raising, collecting, and paying the said Duty herein before granted, and for keeping and rendering of the same, shall perform their several Duties in Relation to the Premises, as to them respectively shall appertain, under such and the like for any Offence or Neglect therein; or for detaining, diverting, or misapplying any Part of the Moneys arising by the said Duty, as are prescribed, and to be inflicted, by Virtue of an Act of Parliament made in the ninth Year of the Reign of his said Majesty King *William III.* [intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities after the Rate of eight Pounds per Cent. per Ann. and for settling the Trade to the East-Indies*] for the like Offence, or Neglect, relating to the Duties thereby granted, or referred to, or for detaining, diverting, or misapplying any Part of the Moneys which were granted or appropriated by Act of Parliament last mention'd.

And be it further enacted by the Authority aforesaid, that no Person shall be deem'd a Seller of or Dealer in Tobacco within the Meaning of this Act, or be liable to make any such Entries, or subject to the Survey of the Officers for the said Inland Duty on Tobacco, who shall not have in his, or her, or their Custody, at any one Time, a Quantity of Tobacco exceeding the Weight of

Prohibited also, and it is hereby further enacted, that all Powers, Provisions ^{given, made} or inflicted, or by any former Act or Acts of Parliament now in Force relating to any Offences in the unshipping or landing of Tobacco of the *British* Plantations, or to any Frauds or Abuses in or concerning the exporting of the same, or relanding thereof in *Great Britain*, or landing the same in *Ireland*, or the *Isle of Man*, after it shall have been shipp'd for Exportation; or to any other Offences against the said Acts, or any of them not hereby repealed or alter'd, shall continue in full Force, any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Prohibited always, and it is hereby enacted by the Authority aforesaid, that the Moneys arising by the said Inland Duty by this Act charged and imposed upon Tobacco, and all ^{arising thereby (ex-}cept such Part thereof as is hereby given to the Seizors, Informers, or Prosecutors respectively) shall be appropriated, issued, and apply'd, and the same are hereby appropriated and made payable to the same Uses, Intents and Purposes, as the Subsidies, Duties and Impost hereby determined as aforesaid, were appropriated and applicable before the making of this present Act; and shall be also subject and liable to the same Redemption by Parliament, as the said Subsidies, Duties, and Impost hereby determin'd as aforesaid, were subject and liable unto.

And whereas by the said Act made in the 12th Year of the Reign of the late King *Charles II.* [intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*] it was enacted, that all Forfeitures and Offences against the said Act, made and committed within the immediate Limits of the chief Office of Excise in *London*, should be heard, adjudg'd, and determin'd by the chief Commissioners and Governors of Excise, or the major Part of them; or by the Commissioners for Appeals, and regulating the said Duties, or the major Part of them, in Case of Appeal, and not otherwise; and all such Forfeitures and Offences made and committed within all or any other the Counties, Cities, Towns, or Places within *England*, or the Dominion thereof, should be heard and determin'd by two or more of the Justices of the Peace

residing near to the Place where such Forfeitures should be made, or Offences committed; and in Case of Neglect or Refusal of such Justices of the Peace, by the Space of fourteen Days next after the Complaint made, and Notice thereof given to the Offender, then the Sub-Commissioners, or the major Part of them, appointed for any such City, County, Town, or Place, should hear and determine the same; from which Judgment of Sub-Commissioners an Appeal was thereby given to the Justices of the Peace at the next Quarter-Sessions, and such other Powers and Authorities were thereby given to the said Commissioners of the Excise, Commissioners for Appeals, Justices of the Peace, and Sub-Commissioners, as are therein mention'd.

And whereas by several other Acts now in Force, the like Jurisdictions, Powers, and Authorities are given to the said Commissioners of Excise, Commissioners for Appeals, two Justices of the Peace, Sub-Commissioners, and Justices of the Peace in the Quarter-Sessions, touching divers other Duties, Matters and Things, thereby, or by Commission, granted by the Crown, in pursuance of the same Acts, or some of them, subject to the Management and Direction of the Commissioners of Excise. Be it enacted by the Authority aforesaid, that from and after the Day of all and singular the said Jurisdictions; Powers, and Authorities given by the said Acts, or any of them, to the said Sub-Commissioners of Excise, Commissioners for Appeals, or Justices of the Peace in their Quarter-Sessions, or any of them, shall and from thenceforth the Justices of the Courts of King's-Bench and Common-Pleas, and the Barons of the Court of the Court of Exchequer at Westminster for the Time being, or any or more of them sitting at the same Time and Place, and not otherwise, shall and are hereby authorized to hear and determine all Appeals from the Judgment and Determination of the Commissioners of Excise, or Commissioners for the said Inland Duty hereby granted, as to all Matters arising within the Limits of the chief Office of Excise in London, and all Incidents relating thereto; and the Justices of Assize for the Time being, or any of them within their respective Circuits; and the Justices of the Sessions for the County Palatine of Chester for the Time being, or any of them within the said County Palatine;

Palatine ; and the Justices of the Great Sessions in *Wales*, or any of them within their respective

Circuits, shall and are, and is hereby respectively authorized, to hear and determine all Appeals from the Judgment and determination of any

Justices of the Peace, or of the Sub-Commissioners of Excise, as to all Matters arising out of the Limits aforesaid, and within their said several Districts respectively, and all Incidents relating thereto ; and the Barons of the *Exchequer* in *Scotland*, or any or more of

them, shall, and are hereby authorized to hear and determine all Appeals from the Judgment and Determination of any Justices of the Peace, as to all

Matters arising within any Shire, Stewarty, or Royal Burgh, within that Part of *Great Britain* called *Scotland* ; which said Justices and Barons, or any or more of them, Justices of Assize, Justices of the Sessions for the said County Palatine of *Chester*, and Justices of the Great Sessions in *Wales*, or any of them, shall and

are hereby respectively empower'd, and required, in a summary Way, and without the Formality of Proceedings in Courts of Law or Equity, and with all convenient Dispatch, finally to hear and determine all such Appeals ; and to affirm, reverse, or alter the Judgments, Determinations, or Decrees of the said Commissioners of Excise, Commissioners for the said Inland Duty, Justices of the Peace, or Sub-Commissioners respectively ; and the said Justices and Barons, or any or

more of them, Justices of Assize, Justices of Sessions for the said County Palatine of *Chester*, and Justices of the Great Sessions in *Wales*, or any of them, shall

and may sit, when, where, and as often as he or they shall respectively think fit, with or without adjourning ; and shall have and exercise the like Jurisdictions, Powers and Authorities, to all Intents and Purposes, as by the said Acts, or any of them, were given to, and vested in the said Commissioners of Appeals, and Justices of the Peace in their Quarter-Sessions, or any of them ; and his or their respective Judgments and Determinations upon such Appeals shall be final, of which there shall be no Review ; nor shall any Appeal, Writ of Error, or *Certiorari* be brought, to remove or reverse the same.

Provided always, and be it enacted by the Authority aforesaid, that from and after the said Day of

no Appeal from the Judgment or Determination of the Commissioners of Excise, or Commissioners

missioners for the Inland Duty, shall be admitted, unless the same be brought within after such Judgment or Determination. Nor shall any Appeal be admitted from the Judgment or Determination of Justices of the Peace, or of the Sub-Commissioners, unless the same be brought within after such Judgment or Determination : Nor unless the Party Appellant shall have first paid down and given such Security as is required by the said Acts, or any of them, in Cases of Appeals from the Determination of the Commissioners of Excise, to the Commissioners of Appeals.

Provided always, and be it further enacted by the Authority aforesaid, That if on the said Day of any Appeal, from any Determination of the Commissioners of Excise shall be depending before the said Commissioners of Appeals for the Time being, and then undetermin'd, every such Appeal, and all Proceedings thereon, shall by Virtue of this Act, be transferred over, and shall be certify'd by the said Commissioners of Appeals, or any of them, to the said Justices of the Courts of *King's Bench* and *Common-Pleas*, and Barons of the *Coif* of the Court of *Exchequer*, in the same Plight and Condition as they then shall stand before the said Commissioners of Appeals ; And the said Justices and Barons, or any or more of them, shall and are hereby empower'd to hear and determine the same, with all Incidents relating thereto ; and to make such Proceeding thereon, and to exercise all such Powers and Authorities touching the same, as the said Commissioners of Appeals might have done in Case this Act hath not been made.

And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested, or prosecuted, for any Thing done by Virtue or in Pursuance of this Act, such Person or Persons shall and may plead the general Issue, and give this Act and the Special Matter in Evidence in his Defence : And if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff shall discontinue his Action, or be Nonsuited, or Judgment shall be given against him upon Demurrer or otherwise, then such Defendant or Defendants shall have to him or them awarded against such Plaintiff.

And

And whereas by an Act of Parliament made in the 11th Year of the Reign of his late Majesty K. George I. [Intituled, *An Act for more effectually preventing Frauds and Abuses in the Publick Revenues; for preventing Frauds in the Salt Duties, and for giving Relief for Salt used in the curing of Salmon and Codfish, in the Year 1719, exported from that Part of Great Britain call'd Scotland; for enabling the Insurance Companies to plead the General Issue in Actions brought against them; and for securing the Stamp-Duties upon Policies of Insurance*] it is amongst other Things provided and enacted, that it should and might be lawful for the Commissioners of the Inland Duties on Coffee, Tea, and Chocolate, or any two or more of them for the Time being, within the respective Jurisdiction of the said Commissioners, or Justice or Justices of the Peace, upon any Officer or Officers for the said Inland Duties making Complaint upon Oath to such Commissioners, or Justice or Justices of the Peace respectively, that he or they did suspect any Dealers in the said Commodities not to have made true and just Entries in the Books which he, she, or they are obliged by the said Act to keep for that Purpose, of such of the said Commodities as he, she, or they from Time to Time sold, deliver'd out, or consum'd, in which should be set forth, the Causes of such Suspicion, to summon such suspected Person or Persons to appear before the said Commissioners, or Justice or Justices of the Peace respectively, with their respective Entry-Books aforesaid; to the Intent that such Commissioners, or Justice or Justices of the Peace respectively, might examine such suspected Person or Persons, or such as keep the said Book or Books, upon his, her, or their Oaths or Affirmation, touching the Truth of the Entries made in their said Books. And any such Dealer in Coffee, Tea, or Chocolate, who should neglect or refuse to make such Oaths or Affirmations so appointed to be administered, being thereunto required by the respective Person or Persons who by the said Act were authorized to administer the same, or should refuse or neglect to attend such Summons as aforesaid, with his, her or their respective Entry-Books, and be examin'd upon Oath as aforesaid, touching the Truth of the Entries made in their respective Entry-Books; Then, and in every such Case and Cases, the Person or Persons offending therein, or either of them, should, for each and every such Offence, forfeit and lose the Sum of 20*l*.

And

And whereas the above recited Clause or Proviso hath by Experience been found to be inconvenient to the several Dealers in the said Commodities, and of no Advantage to the Revenue ; Be it therefore enacted by the Authority aforesaid, that from and after the said Day of the said Clause or Proviso before recited, and every Matter and Thing therein contained, shall be, and is hereby repealed.


F I N I S.



THE
Historical Register.

NUMBER LXXI.

GREAT BRITAIN.

UR last concluded with the Inland Duty, or Excise Bill on Tobacco; next occur the two following memorable Pieces, which for Want of Room, could not be then inserted; they make, indeed, a late Appearance, but are of so important a Nature in the Eye of the Publick, we should be wanting to the curious Reader, should we decline them on that Score. Before then we begin with our Journal of last Session of Parliament, we premise first with

The Protest of the Lords in Parliament, relating to the Application of the Sinking Fund.

Die Mercurii, 30 Mail, 1733.

Moved to resolve,

THAT it is the Opinion of this House, that the Produce of the Sinking Fund should be apply'd, for the future, towards redeeming such Taxes as are most grievous to the Subject, oppressive to the Manufacturer, and detrimental to Trade.

Which being objected to, and Debate had concerning the same.

The Question was put upon the said Motion,
 And it was resolv'd in the Negative.

Y

Dissent.

Dissent

1. Because we conceive that it would have been extremely for the Honour of the House, and for the Service of the Publick, to have enter'd this Resolution in our Books, at a Time when we have so far contented, in Compliance with the House of Commons, to a Bill by which near half a Million collected for the Sinking Fund, in several Years, is appropriated to the Service of the present Year.

2. Because the Sinking Fund, being composed of the Surpluses of Funds originally granted, as Securities to the Creditors of the Publick; and these Surpluses arising chiefly from a Reduction to 4 *per Cent.* of the Interest granted them, for the most part at the Rate of 6 *per Cent.* we cannot but think, that this Saving ought to be apply'd according to the most inviolable Rules of Equity, and according to the known Design, and the repeated and solemn Engagements of Parliament, to a gradual Discharge of the Principal due to these Creditors of the Publick, who have parted with a Third of their Revenue in this View, and upon this Confidence.

3. Because we apprehend, that the Method of applying large Proportions of the Sinking Fund to the Service of the current Year, must in Effect perpetuate the Debts and Taxes which lie on the Nation, and is therefore injurious to the Publick. Had this whole Fund been strictly apply'd from the Beginning to its proper Use, we think it may be demonstrated, not only that much more of the National Debt might have been discharged, but that those Taxes, which are most oppressive to the Poor, and most prejudicial to Trade, might have been already taken off, since upwards of 480,000*l.* *per Ann.* belonging, as we conceive, to this Fund, has been apply'd to other Uses.

4. Because we apprehend that it cannot be for the Good of the Nation, nor consequently for the Honour of Parliament, to separate those Interests in the particular Appropriations of the Sinking Fund, which are so wisely and so justly united in the original and general Design of it, the Interest of the Nation, and the Interest of the Proprietors of the Nation's Debts; the former was intended to be eased, and for that Purpose the latter were to be clear'd as soon as possible. If it be said therefore, that the Creditors of the Publick do not desire to be cleared any faster than they are in the present Method, nor object to the Application of Part of
2 the

the Sinking Fund to other Uses, we apprehend that no Argument which ought to avail in the House of Parliament, can result from such an Assertion, because we conceive, that in every Instance of this Kind, in every Application of the Sinking Fund, or of any of it, we are to look on ourselves, as obliged, not only to be just to the Creditors of the Publick, but to be careful of the Ease of the People, to keep the particular and general Interests united as they originally were, not to sever them. If in Fact the Creditors of the Publick do not object to the Application of such large Proportions of the Sinking Fund to other Uses than to the Payment of the Debts, it may be said, that no Injustice is done them by any such Application, according to the known Maxim, *Volenti non fit Injuria*; nay, it may be deem'd for their private Interest, to have such beneficial Mortgages continued to them as long as possible; and they may desire therefore not to be cleared any faster than they are likely to be in the present Method; but we apprehend that it cannot be for the Interest of the Nation to have these Mortgages continued any longer than is absolutely necessary to discharge the Debts secured by them, and that we, by Consequence, who are Trustees for the People, ought to desire and endeavour that the Debts may be discharged, and the Load of Mortgages may be remov'd as soon as possible. In this Manner, publick Faith would be strictly kept, Justice would be done, no Injustice could be done to the Creditors of the Publick: In the other Method, and by diverting such large Portions of the Sinking Fund, if it should be granted, that no present Injustice was done to the Proprietors of these publick Debts; yet must it be allow'd, as we apprehend, that great Injury is done to the Nation, unless it can be proved, that the unnecessary Continuation of Debts and Taxes is a National Benefit.

5. Because we conceive that if the whole Produce of the Sinking Fund were not to be apply'd to the Discharge of the publick Debts, it would be much more for the Ease of Trade and Advantage of the Nation, that some of those grievous Taxes out of which it arises, should cease, than that they should be continu'd to supply the current Service at 4 *per Cent.* which might certainly be supply'd by other Ways at a cheaper Rate; these Taxes are not only grievous in themselves, but almost intolerable, by the Manner of collecting them under the Laws of Excise; Laws so oppressive to the Sub-

jest, and so dangerous to Liberty, that every Man who wishes well to his Country, must, in our Opinion, desire to see them put a speedy End to. Most of these Taxes were laid during the Necessity of twolong and expensive Wars, and were granted only for Terms of Years, that so the Principal and Interest of the Loans made on them might be paid off in a certain limited Time. Thus the Nation consented to pay in some Manner a double Tax, in order to avoid the long and uncertain Continuance of such grievous and dangerous Impositions; and according to the first Design, many of them would have been very near the Expiration of their Term at this Hour. The Wisdom of Parliament, indeed, thought fit to throw these Taxes, and the Method of discharging the Publick Debts into another Form, which now subsists, but we cannot conceive that this was done with a View of continuing our Taxes and our Debts the longer. On the contrary, we are sure it was done in the View of discharging both the sooner; and it is this very View which we apprehend must be fatally disappointed, if the present Method of diverting any Part of the Sinking Fund from the Payment of the Publick Debts, be suffered to continue.

6. Because we apprehend that this Method may create the utmost Uneasiness in the Minds of his Majesty's Subjects, and may tend, if not timely prevented by the Wisdom and Authority of this House, to diminish their Affection for his Person and Government. Hitherto, whilst they have labour'd under the Weight of Taxes, and groan'd under the Oppression of Excise Laws, the Hope of seeing speedily an End of both, has been their sole Consolation; but nothing can maintain this Hope, except a due Application of the entire sinking Fund, to the Discharge of those Debts, for the Discharge of which, these Taxes were intended and given. If some Part of this Fund therefore continue to be mortgaged off, and other Parts to be apply'd to the current Service, even in the midst of profound Peace, this Hope must sink, and Despair arise in its Stead. We insist with greater Concern and Earnestness on this Point, from our Observation of what has lately passed on the Occasion of Attempts made to extend the cruel and arbitrary Methods practis'd under the Laws of Excise, and naturally and necessarily, as we apprehend, flowing from them. If any new Law of this Kind had passed elsewhere, we persuade ourselves, it could not have prevail'd in this House;

House : But we think it the more incumbent upon us, after such an Attempt, and such National Resentment expressed against it, (both which are of publick Notoriety) to promote, as effectually as we are able, the Quiet and Happiness of his Majesty's Reign, by cutting off any Hopes or Fears which may be still entertain'd, that such a Project will some Time or other succeed ; and to this good and laudable End, we conceive, that nothing would have contributed more, than such a solemn Declaration of the Sense of this House, as is contain'd in the Question.

<i>Bedford,</i>	<i>Shaftsbury,</i>	<i>Litchfield,</i>
<i>Craven,</i>	<i>Bridgewater,</i>	<i>Sunderland,</i>
<i>Gainsborough,</i>	<i>Ker,</i>	<i>Coventry,</i>
<i>Winchelsea and</i>	<i>Bruce,</i>	<i>Strafford,</i>
<i>Nottingham,</i>	<i>Carteret,</i>	<i>Bathurst,</i>
<i>Gorwer,</i>	<i>Masham,</i>	<i>Thanet.</i>
<i>Tweedale,</i>		

The Protest of the Lords in Parliament relating to the Enquiry into the Affairs of the South-Sea Company.

Die Sabbati, 2 Junii 1733.

THE House being moved to appoint a Committee to examine into the Proceedings of the South Sea Company,

After Debate,

The Question was put, Whether a select Committee shall be appointed, of twelve Lords to be chosen by Ballot, to examine into the Transactions and Proceedings of the South-Sea Company, from the second Day of February, 1720, and to lay their Report before this House ?

It was resolved in the Negative,

Dissent?

1. Because the present Debt of the Kingdom, being almost wholly incorporated into the three great Companies, it behoves the Legislature, who are the proper Guardians of the Publick Creditors, to take all possible Care, that they suffer no Injury in their Estates by any Frauds committed in the Management of them : For though the Directors are chosen by a General Court, they are invested with such extensive Powers, that they are capable, by abusing their Trust, of doing infinite Mischief to the Proprietors, unless their Proceedings are

are vigilantly watched and Controuled; by that supreme Authority under whose Sanction they act, and by which only such Practices can be effectually prevented or punished.

2. Because this House having been induced, by the Reasons before mentioned, to begin an Enquiry into the Management of the *South-Sea Company*, we apprehend that our Honour is engaged to answer those Expectations which the Publick had so justly conceived from it; and since the advanced Season of the Year will not permit us to finish this Examination, during the present Session of Parliament, we apprehend a Committee was the only proper Way left to unravel such dark and intricate Affairs, which require a very nice Inspection into many voluminous Books; it appearing to us, by what we have seen and heard at our Bar, that the Accounts of this Company have been kept in a most confused, irregular, and unwarrantable Manner, in order, as we apprehend, to conceal Frauds, and defeat all Enquiries.

3. Because the great Distresses and Calamities of the Year 1720, having been occasioned by the Directors at that Time declaring such extragant Dividends, as the Company was not able to support, the Legislature have, in all their Acts relating to this Corporation, which have passed since that Time, taken the utmost Care to prohibit and restrain the Directors from being guilty of the like Practices; yet notwithstanding this, they have been so far from taking Warning by the Examples made of their Predecessors, that it appears, by the Accounts laid before this House, that although by the Cash which came into their Hands, and by the Sale of four Millions of Stock to the Bank, and by the Loans of Stock and otherwise, they were sufficiently enabled to pay off the Debt of five Millions four Hundred Thousand Pounds, then owing by the Company, as in Justice and Prudence they ought to have done; yet influenced, as we have Reason to believe, by the great corrupt Views of some few, who may have assumed to themselves the whole Management of the Affairs of this Corporation, they left great Part of their Debt on Bonds at Interest unpaid, and by unwarrantable Dividends out of the Money, in order to give a fallacious Value to their Stock, Multitudes of his Majesty's Subjects have been defrauded, and they have, without the Knowledge of the Proprietors, not only dissipated above two Millions three hundred thousand

thousand Pounds, received from the Directors Estates ; but they have likewise brought a new Debt of two Millions upon the Company, and thereby diminished the Capital of every Proprietor's Stock ; by which Means great Injury and Injustice have in numerous Instances been done to Orphans, and the Reversionary Heirs of these Estates, to the great Dishonour of the publick Faith, and Discredit of the Nation.

4. Because, although the Directors apply'd to Parliament in the Year 1727, for their Authority to dispose of the Produce of the Estates of the forfeiting Directors, pretended to be then remaining in their Hands, yet it appears by the Accounts now before us, that the greatest Part of this Money had been before actually divided out in extraordinary Dividends, and when, in order to give some Colour to these Proceedings, they obtained an Act of Parliament to dispose of these Effects, they never call'd a General Court to acquaint them with the State of this Account, or to take their Directions for the Application of any remaining Part of these Estates, notwithstanding they were expressly required so to do by the said Act.

5. Because there is Reason to believe, from a general View of the same Accounts, that there are many Articles hitherto unexamined, under which a Multitude of Frauds made be conceal'd ; such as buying, selling, creating, and issuing of Bonds, employing irregularly the Cash of the Company which lay in their Hands, whilst the Proprietors were paying Interest for Money borrow'd of the Bank, in transacting Stock abroad, and selling fictitious Stock at Home, with many other Practices of the like Nature, too long and various to be particularly explain'd : For these Reasons, we conceive, it was absolutely necessary to have appointed a Committee, as the only Method to distinguish the few, who probably are criminal, from many Gentlemen who may at present lie unjustly under the same Imputation ; especially at a Time when a Bill was actually depending for dividing the Capital of this Company, three Fourths into Annuities, and leaving the remaining Quarter to be a trading Stock, with a large Debt, and Demands upon it unliquidated, and the Value of it consequently unknown ; which, should it pass into a Law, will, in all probability, promote and encourage the infamous Practice of Stock-jobbing, to the Ruin of great Numbers of his Majesty's Subjects.

6. Because

6. Because the other House have frequently appointed Commissioners to inspect the Publick Accounts, during the Interval of Parliament, as the only practicable Method of arriving at any Knowledge in such Affairs; a Method, indeed, too much disused of late Years; we therefore apprehend, that no just Objection either was, or could be made to a Committee, which is perfectly agreeable to the Nature of our Constitution, cannot be of any Prejudice to the Company, and being confined to a particular Enquiry, can give no Grounds of Apprehension to any but those who are afraid it may lead to further Discoveries of iniquitous Contracts, and corrupt Bargains in the Settlement and Transactions of this Company, since the Year 1720, which some Persons have endeavour'd with so much Industry to conceal.

7. Because we think it highly expedient at this Time to vindicate the Publick Faith of the Nation, lest Foreigners should be induced, by the many Instances of Fraud and Corruption, which have been of late discover'd in other Corporations, suddenly to withdraw their Effects out of our Funds, and thereby totally destroy publick Credit, and plunge us into inextricable Difficulties.

8. Because the Acts made Use of to divert us from our Duty, and defeat this Enquiry, give us Reasons to prosecute it with fresh Vigour; for Impunity of Guilt (if any such there be) is the strongest Encouragement to the Repetition of the same Practices in future Times, by chalking out a safe Method of committing the most flagitious Frauds, under the Protection of some corrupt and all-screening Minister.

9. For these Reasons we think ourselves under an indispensable Obligation to vindicate our own Honour, by leaving our Testimonies in the Journals of this House, that we are not under the Influence of any Man whatsoever, whose Safety may depend on the Protection of Fraud and Corruption; and that we enter'd upon this Enquiry with a sincere and just Design of going to the Bottom of the Evil, and applying to it the most proper and effectual Remedies.

<i>Strafford,</i>	<i>Shaftsbury,</i>	<i>Tweedale,</i>	<i>Thanet,</i>
<i>Suffolk,</i>	<i>Craven,</i>	<i>Coventry,</i>	<i>Chesterfield,</i>
<i>Masham,</i>	<i>Cobham,</i>	<i>Stair,</i>	<i>Berkshire,</i>
<i>Redford,</i>	<i>Montrose,</i>	<i>Bridgewater,</i>	<i>Bruce,</i>
<i>Bathurst,</i>	<i>Winchelsea &</i>	<i>Carteret,</i>	<i>Gower.</i>
<i>Litchfield,</i>	<i>Nottingham,</i>	<i>Marchmont,</i>	

Journal

Journal of the Proceedings and Debates of last Session of Parliament.

ON the 16th of January last, both Houses of Parliament met at *Westminster*, according to Prorogation, and his Majesty being come to the House of Peers, and seated on his Throne, the Commons were sent for as usual; and his Majesty open'd the Sessions with the following most gracious Speech, *viz.*

My Lords and Gentlemen,

IT is a great Satisfaction to me, that the present Situation of Affairs, both at home and abroad, makes it unnecessary for me to lay before you any other Reasons for my calling you together at this Time; but the ordinary Dispatch of the Publick Business, and that I may have an Opportunity of receiving your Advice upon such Affairs as may occur to you, and shall require the Care and Consideration of Parliament.

Gentlemen of the House of Commons,

I will order the proper Officers to lay before you the Estimates for the Service of the current Year; and I make no Doubt but that you will, with the same Chearfulness, as I have always experienced in you, effectually raise such Supplies, as you shall judge necessary for the Honour, Safety, and Defence of the Kingdom; and I cannot but recommend it to you, as a Consideration worthy the Commons of *Great Britain*, that in all your Deliberations, as well upon raising the annual Supplies, as the Distribution of the Publick Revenues, you pursue such Measures as will most conduce to the present and future Ease of those you represent.

My Lords and Gentlemen,

You must be sensible, that it is very desirable to give all possible Dispatch to the Publick Business, and that nothing can give more Weight and Credit to all your Resolutions, than to avoid unreasonable Heats and Animosities, and not to suffer yourselves to be diverted by any specious Pretences from stedfastly pursuing the true Interest of your Country: Let that be your first and principal Care; and the People will be sensible of the Benefits they shall receive from your Wisdom and Resolution in preferring their Ease and the Publick Good, to all other Considerations.

His Majesty being retired, the Lord *Raymond* (in the Absence of the Lord Chancellor, who was ill) reported his Majesty's Speech to the House; and thereupon the Right Hon. the Marquess of *L——n* made a short Speech, and moved for an Address to his Majesty, to thank him for his most gracious Speech from the Throne, &c. which Motion was seconded by the Right Hon. the Lord *L——ce*, and agreed to without any Lord's offering to speak against it, or to make any Amendment; which Address is as follows, *viz.*

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, do, in all Humility return the Thanks of this House for your Majesty's most gracious Speech from the Throne.

It is owing to the happy Success of your Majesty's Counsels and Negotiations, that your Majesty now assembles your Parliament for no other Reasons but the ordinary Dispatch of the Publick Business; and your Majesty being graciously pleased to express such great Satisfaction in giving us an Opportunity of humbly offering our Advice to the Throne, upon such Affairs as shall require the Care and Consideration of Parliament, we think it incumbent on us, in Return, to consider that Part of our Duty to be the highest Honour and Privilege of this House, which, as we have always enjoy'd, so we beg Leave to assure your Majesty, we will never abuse.

We will use our utmost Endeavours to proceed in such Manner in the speedy Execution of the great Trust reposed in us, that the People may be fully sensible, that no unreasonable Heats or Animosities shall delay or interrupt our Deliberations, and that the true Interest of our Country, the present and future Ease of our Fellow Subjects, and the Publick Good of *Great Britain*, shall outweigh all other Considerations, tho' cover'd by any specious Pretences whatsoever. Upon these Foundations, we may be confident, that our Resolutions will be agreeable to your Majesty, by being beneficial to the whole Nation.

This Address was next Day presented to his Majesty, and his Majesty was pleased to return the following most gracious Answer.

My Lords,

I Thank you for this dutiful and loyal Address. As the Ease of my People and the Publick Good have always been my chief Care and Concern, the Zeal that you shew for the promoting of them cannot but be very acceptable to me, and will most effectually recommend you to my Favour and Protection.

The Honourable the Commons being returned to their own House, and their Session constituted by reading a Bill, Mr. Speaker reported to them, that the House having attended his Majesty in the House of Peers, his Majesty was pleased to make a most gracious Speech to both Houses of Parliament, of which, (to prevent Mistakes) he had procured a Copy; and the same being read, H—y B—y, Esq; one of the Knights of the Shire for the County of C—ge, made a Speech, in which (among other Things) he took Notice of the happy Situation of our Affairs both at home and abroad, and that the present profound Tranquillity was entirely owing to his Majesty's great Wisdom and Conduct, by which he had surmounted all those Difficulties, which were thrown in his Way by the Enemies of the Nation, and had thereby at last establish'd our Affairs both at home and abroad upon a most firm, and he hoped, a lasting Basis. That we ow'd a great many Acknowledgements of Thanks to his Majesty, for his prudent and careful Management of our Affairs both at home and abroad, and therefore he would beg Leave to move, That an humble Address should be presented to his Majesty, to return his Majesty the Thanks of that House for his most gracious Speech from the Throne; to express the Satisfaction of that House at the present Situation of Affairs both at home and abroad; and to assure his Majesty, that that House would, with all possible Duty to his Majesty, and just Regard and Concern for those they represented, cheerfully and effectually raise such Supplies as should be necessary for the Honour, Safety, and Defence of his Majesty and his Kingdoms; and that, in all their Deliberations upon raising the annual Supplies, and the Distribution of the Publick Revenues, they would pursue such Measures as would most conduce to the present and future Ease of their Fellow-Subjects; and that, in order to give the necessary Dispatch to the Publick Business, and that their Proceedings might carry with them that Weight and Credit in the Nation which

ought always to attend the Resolutions of the Commons of Great Britain, they would endeavour to avoid all unreasonable Heats and Animosities, and not suffer themselves to be diverted by any specious Pretences whatsoever, from stedfastly pursuing the true Interest of their Country, which should upon all Occasions be their first and principal Care.

This Motion was seconded by J—n K—t, Esq; one of the Representatives for the Borough of S—y in the County of Suffolk, who likewise made a short Speech in Praise of his Majesty's Conduct, and concluded, that he hoped the House would be unanimous in agreeing to the Address of Thanks moved for by the honourable Member who had spoke before him.

Sir J—n B—d, for the City of London, was the first that 'rose up and mov'd for an Amendment to the said Motion as follows :

S I R,

I shall always be ready to make all proper Acknowledgments of Thanks to his Majesty ; but there are some Words in the Motion made by the honourable Gentleman who spoke first, which I cannot but take Notice of. I do not really know what the honourable Gentleman means by the Words, *We will endeavour to avoid all unreasonable Heats and Animosities, and not suffer ourselves to be diverted by any specious Pretences whatsoever.* I hope there never were, nor never will be any unreasonable Heats or Animosities in this House, nor any specious Pretences made Use of by any Gentleman who has the Honour to be a Member thereof ; at least, I hope, that if any Man shall ever be vain enough to endeavour to impose upon this House, by making Use of specious Pretences for concealing Designs which he dare not openly avow, that there will always be in this House Men of Understanding and Integrity sufficient to expose any such Attempt, and to render it vain and ridiculous, But if any Gentleman of the House happens not to like what is said, or what is moved for by another, cannot he oppose it, and give his Reasons for so doing, without being guilty of any unreasonable Heat or Animosity, or of making Use of specious Pretences ; I must say, Sir, that the desiring such Words to be put into our Address of Thanks to his Majesty, to me looks as if the Gentleman was conscious that there is something to be brought before us in this Session of Parliament, which he foresees will meet with a warm Opposition ; and, I hope, if

if any Thing of an extraordinary Nature is to be brought before us, no Gentleman will be precluded by those Words, or by any Words that can be put into our Address, from giving his Sentiments freely upon any Question that may occur. If any Thing should happen to be proposed in this House, which evidently appears to be inconsistent with the Liberties or the Trade of this Nation, I hope the Indignation of every Man that thinks so, will rise against such a Proposition, and that he will oppose it with that honest Warmth as becomes every Man who has the Happiness of his Country really at Heart: Such a Warmth is no unreasonable Heat; it does not proceed from Antipathy, but from that honest Zeal which every Man in this House ought to have for the Constitution of his Country, and for the Liberties and Properties of the People he represents.

But before I say any Thing more upon this Subject, I must take Notice of a proceeding Part of the Motion made by the honourable Gentleman: He proposes for us to say, *That we will raise the Supplies in such Manner as will most conduce to the present and future Ease of the Subject.* Now, there seems to be a great Jealousy with out Doors, as if something were intended to be done in this Session of Parliament, that may be destructive to our Liberties, and detrimental to our Trade: From whence this Jealousy hath arisen, I do not know; but it is certain that there is such a Jealousy among all Sorts of People, and in all Corners of the Nation; and therefore we ought to take the first Opportunity to quiet the Minds of the People, and to assure them that they may depend upon the Honour and Integrity of the Members of this House, and that we never will consent to any Thing that may have the least Appearance of being destructive to their Liberties, or detrimental to their Trade; for which Reason I must move for an Amendment, and that these Words, *And such as shall be consistent with the Trade, Interest, and Liberty of the Nation,* may be added to what the Honourable Gentleman has already proposed.

Mr. S. for the City of W., spoke next, and declared himself of the same Opinion with the honourable Gentleman who spoke last, that he saw no Manner of Occasion for inserting, *that they should endeavour to avoid all unreasonable Heats and Antipathies, nor suffer themselves to be diverted by any specious Pretences;* for that 'twas never to be presum'd with Regard to the honourable

honourable House, that they should fall into any unreasonable Heats and Animosities, or suffer themselves to be diverted by specious Pretences from stedfastly pursuing the true Interest of their Country. Such a Reflection was derogatory to the Honour of the House in general, and of that House in particular, who deserved it, in his Opinion, as little as any House ever did; nay, 'twas somewhat strange, that this House, after having sat so quietly for so many Sessions, and granted so many considerable Supplies, should at length so officiously be put in mind of their Duty, and desired to avoid unreasonable Heats and Animosities. As for the other Part of the Motion, taken Notice of by Sir J—n B—nd, 'twas his Opinion the Amendment proposed was not only very proper, but also became absolutely necessary at that Juncture.

Mr. S—n, for the Borough of N—n in Lancashire, moved next for a farther Amendment as follows:

S I R,

I have always been against long Addresses; I am ready enough to agree to an Address of Thanks to his Majesty for his most gracious Speech from the Throne; but such an Address ought to be in the most concise Terms, and the most general Words: This was the ancient Usage of Parliament, and I find but few of our old Customs that are alter'd for the better: However, if we must go on with the Custom of making long-winded Addresses, I think we ought to take some Notice of the Spirit that is at present among the People. It is very certain, that there are great Fears, Jealousies, and Suspicions without Doors, that something is to be attempted in this Session of Parliament, which is generally thought to be destructive to the Liberties and to the Trade of this Nation. There is at present a most remarkable and general Spirit among the People for protecting and defending their Liberties and their Trade, in Opposition to those Attempts which they expect are to be made against both: From all Quarters we hear of Meetings and Resolutions for that Purpose; and this Spirit is so general, that it cannot be ascribed to any one Sett of Men: They cannot be branded with the Name of Jacobites or of Republicans, nor can it be said that this Opposition is made only by Jacobites and Republicans; no, the whole People of England seem to be united

ted in this Spirit of Jealousy and Opposition. Whether there be any Reason or Ground for exerting such a Spirit at present, I do not know; but I am sure it ought not to be entirely neglected. It is well known that I am no Friend to popular Remonstrances; a Man that is a Favourer of Monarchy, cannot well approve of such Measures. But such Remonstrances are not to be contemned: A thorough Contempt of them may produce the most terrible Effects.

I look on it as a most certain Maxim, that the People never would so generally complain, unless they found themselves some Way hurt; and then they have a Right to complain, and it is our Duty to take Notice of their Complaints; but at the same Time we ought to have a Regard to the Honour and Dignity of Parliament, for which Reason I shall beg Leave to add to the Amendment proposed, and move that these Words, *and such as shall be consistent with the Honour and Justice of Parliament*, may be added to what has been before proposed.

The adding of these Words was approved of by Sir J—n B——— and Mr. S———.

Mr. Ch——— of the E———r stood up next and deliver'd himself to this Effect.

I Now rise up, Sir, to do what is not usual for me to do; it is to second a Motion made by my worthy Friend who spoke last. I was really of Opinion, that his Majesty's Speech was in such Terms, that no Exception could have been taken to any one Word of it; and the Motion for an Address of Thanks was so short and so agreeable to his Majesty's Speech, that I could not imagine any such Objection could have been made, as has been made to some of the Words thereof. His Majesty in his Speech recommends the avoiding of unreasonable Heats and Animosities, and in Answer to that Part of his Majesty's Speech, the honourable Gentleman who moved for the Address, proposed that we should say, that we would avoid all unreasonable Heats and Animosities: In my Opinion, there cannot be a more proper Return to that Part of the Speech: And as his Majesty only desires that we would avoid all *unreasonable Heats and Animosities*, he surely did not thereby intend to preclude any Man from offering his Sentiments freely on whatever may be proposed. If any Thing be proposed that

that is inconsistent with the Publick Good, and Opposition thereto can be called an unreasonable Heat or Animosity; nor is such an Opposition any Way comprehended in the Words made Use of by his Majesty, in his most gracious Speech from the Throne!

As for the Amendment proposed in the other Part of the Motion, it really seems to me to be liable to the same Objection, that has been made to the Words I have just now taken Notice of. It is not to be presumed that we will do any Thing that is inconsistent with the Honour and Justice of Parliament; if any such Thing should be proposed, it would, without Doubt, be rejected with Scorn? And as for the Trade of the Nation, I do not know what the Gentlemen mean thereby; but as to what I mean by the Trade of the Nation, and in so far as I understand it, I hope nothing will ever be brought into this House that is or can be detrimental thereto; if there should, it would most certainly be rejected. I am sure, Sir, that I know of no such Design, I know of nothing that is to be brought in, that can any Way injure the Trade of the Nation; but if any Thing can be proposed for the Improvement thereof, I shall very readily agree to it, and so, I hope, will every Gentleman in this House.

I agree with the honourable Gentleman who spoke last, that the Complaints of the People are not to be neglected, when they are sincere and true; I hope they will always be regarded by every Gentleman in this House. If the People are hamper'd in their Trade, or in any other Way hurt, they must feel it, and they will feel it before they begin to complain; in such Case it is the Duty of this House, not only to hear their Complaints, but to find out a Remedy, if possible. But the People may be taught to complain, they may be made to feel imaginary Ills, and by such Practices they are often induced to make Complaints before they feel any Uneasiness. However, let the People's Complaints be Real or Imaginary, let them be well or ill founded, it does not signify to the present Question: If the Gentlemen think it necessary to add the Words they have proposed, the adding or not adding of them is to me a Matter of absolute Indifference, they may do whatever they think proper.

Mr. P. for the Borough of *Aldershot* in *Westminster* land, was pleased to observe next on the same Occasion, that

that he did not know whether or no the People might be taught to complain when they felt no hurt ; but was well assur'd, that if by any Means they were taught not to complain, they would at last come to feel the Hurt severely, when perhaps their Complaints would avail nothing, but rather expose them to the Contempt of those who had done them the greatest Injuries.

Here Sir *J—n B——d* rose and made a second Speech.

S I R,

IF the honourable Gentleman on the Floor thinks that our Trade cannot be hurt by what the People seem to be afraid of, I am sure he must think that he understands Trade better than all the Traders in *England*; and if that is his Notion, I do not really understand what Trade he means, but he must mean by the Trade of the Nation something different from what is thereby meant by all those that are concern'd therein. I thought I had given a sufficient Reason for adding the Words I propos'd; but since it has been insinuated that they are liable to the same Objection as the Words first taken Notice of by me, I must explain myself a little further. It is certainly to be presum'd, that this House will never agree to any Thing that is destructive to the Liberties, or detrimental to the Trade of the Nation: I am sure, if ever we do, we shall do what is inconsistent with the Honour and Justice of Parliament. This is certainly not to be presum'd; yet we find there is a Spirit of Jealousy gone forth, there are very general Apprehensions that some such Thing is intended; and for this Reason, I mov'd for the Amendment; but there are no Jealousies, no Fears of our falling into unreasonable Heats and Animosities; his Majesty, I hope, never had any such Jealousy, and I am sure the Body of the People apprehend no such Misfortune; and therefore there is no Reason for having any such Words in our Address.

The Question was then put, and the Amendment propos'd was agreed to without any Division.

After the Amendment was agreed to, Sir *T——s A——n* for the Borough of *L——le* in *Lancashire*, stood up and made a further Objection to some Words in the Address, to this Effect:

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S I R,

S I R,

I Cannot in any Address to be presented to his Majesty, approve of saying what I do not believe to be true. It is proposed that we should congratulate his Majesty upon the Situation of our Affairs both abroad and at home. This I cannot by any Means agree to, because I do not really think that our Affairs are in the best Situation either abroad or at home. Are not our Neighbours the *French* still going on in fortifying and restoring the Harbour of *Dunkirk*, under our very Nose, and contrary to the Faith of the most solemn Treaties? We cannot now say that the *French* are our good Allies, and by their Behaviour in this Particular, we may see that we cannot much depend upon the Faith of any of the Treaties now subsisting between us and them: Even this very Affair we may, perhaps, in a little Time hear made Use of as an Argument for our keeping up a numerous Standing Army in Time of Peace; and can we express a Satisfaction at the present Situation of our Affairs, as long as there is any Argument left for keeping up a numerous Standing Army in Time of Peace, which has always been thought so inconsistent with the Constitution and Libertjes of our Country?

Have our Merchants as yet met with any Redress for those Depredations committed upon them by the *Spaniards*? Is not that Affair still delay'd and put off, notwithstanding the most explicate Engagements enter'd into by the famous Treaty of *Seville*; that Treaty which we have heard so much applauded, and by which we enter'd into Engagements of the greatest Consequence; on our Part it has been most punctually perform'd, and yet our plunder'd Countrymen, our Merchants, are still waiting for that Reparation, which in Justice is due to them, which by the most solemn Engagements has been stipulated for them, and which was, I may say, the only stipulation in our Favour contain'd in that Treaty. Shall we then say, that we are satisfy'd with the present Situation of our Affairs, while the Cries and Complaints of our injur'd and unredress'd Countrymen are daily meeting us in every Corner or the Streets?

Again, as to our Home Affairs, is not our Trade daily decaying? Even our Staple Manufacture is almost quite undone. There is scarcely any Sort of Trade in a thriving Condition, but that in *Change Alley*, and there,

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Sir,

Sir, there are such abominable Frauds, and such wicked Impositions daily practised, that many honest well-meaning Men have thereby been totally ruin'd and undone. Does not almost every Session of Parliament open to us some new Scene of Villany and Roguery? These Calamities are almost universal, they do not fall upon single Persons, or upon a few, but upon Multitudes at a Time; and these, for what I know, may be owing in some Measure, to some of those Persons who have in their Hands the Management of Publick Affairs: It may be owing to their Neglect that Rogues are thus enabled to dress up and manage such publick Scenes of Knavery. While such fraudulent Practices are suffer'd, and our Trade thereby so much injured, can we approach the Throne, and say in such a solemn Manner, that we are satisfy'd with the Situation of our Affairs at home? For my Part, I am no Way satisfy'd with the present Situation of our Affairs either abroad or at home, and therefore I must move that these Words should be left out or some Way alter'd.

Upon this the Right Hon. Mr. S——r rose up and acquainted him, that by the Orders of the House, and the constant Forms of their Proceedings, the making of an Amendment to any Part of a Motion, was an Approbation of every preceding Part of that Motion; and as that Part of the Motion which he proposed to amend, preceded that which the House had agreed to amend, therefore they could not now receive his Motion.

This last Motion being thus dropp'd, the Question was put upon the Motion made by Mr. B——y, as amended by Sir J——n B——d and Mr. S——n, and was carry'd without any Division; whereupon an Address was drawn up, and being approv'd of by the House, the same was presented to his Majesty on the 18th of January, and is as follows, viz.

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, humbly beg Leave to return your Majesty our most sincere and hearty Thanks for your most gracious Speech from the Throne.

The Situation of Affairs, both at home and abroad, gives your faithful Commons the highest Satisfaction,

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and

and fills their Hearts with the deepest Sense of Gratitude to your Majesty, being fully sensible, that the present Happiness we enjoy, is the entire Effect of your Majesty's Wisdom and Resolution.

Such Supplies, as shall be necessary for the Honour, Safety, and Defence of your Majesty and your Kingdom, shall cheerfully and effectually be raised by your faithful Commons, with all possible Duty to your Majesty, and a just Regard and Concern for those we represent.

We also beg Leave to assure your Majesty, that in all our Deliberations, as well in raising the Supplies, as in the Distribution of the publick Revenues, we will pursue such Measures, as will most conduce to the present and future Ease of our Fellow Subjects, and such as, agreeably to your Majesty's known Goodness and gracious Intentions towards your People, and the constant Endeavours of your faithful Commons, shall be consistent with the Honour and Justice of Parliament, and with the Trade, Interest, and Liberty of the Nation.

That our Proceedings may carry with them the Weight and Credit which always ought to attend the Resolutions of the Commons of *Great Britain*; and that the necessary Dispatch may be given to the Publick Business, we will use our utmost Endeavours to avoid all unreasonable Heats and Animosities, nor suffer ourselves to be diverted by any specious Pretences whatsoever, from stedfastly pursuing the true Interest of our Country, which, in Pursuance of your Majesty's most gracious Recommendation, from your great Example, and our own indispensable Duty, shall upon all Occasions be our first and principal Care.

To which Address his Majesty return'd the following most gracious Answer, *viz.*

Gentlemen,

I Return you my Thanks for these dutiful Assurances of your Zeal and Affection for me: And I make no Doubt but that your Resolutions to pursue such Measures, as will most conduce to the Ease and true Interest of all my Subjects, will as effectually recommend you to the good Opinion and Esteem of my People, as they are acceptable to me.

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On the 31st of *January*, the House of Commons having no immediate Business before 'em, Mr. S—— rose up and address'd himself to the Speaker in the Manner following :

S I R,

AS the House seems at present to be at Leisure, I shall take the Opportunity to put them in Mind of a Bill, that for two or three Sessions successively has passed in this House without any Opposition, and has been as often thrown out in the other. What their Reasons were in the other House for so often throwing out such a Bill, I shall not take upon me so much as to guess at ; but I think it never met with any real Opposition in this House : There were indeed some Gentlemen who testified a sort of a Dislike to the Bill, but I think they never carried it so far as to form any Argument against it, or to bring the Affair to a Debate. It has been often remarked, that there never was, as yet, any thing brought into either House of Parliament, that was really in itself useful and necessary for the publick Welfare, but what, by a proper Perseverance, was at last carried through and passed into a Law. Even a good Thing may, for a considerable Time, by many be mistaken ; from private Passions and Prejudices, for want of being rightly understood, it may for some Time meet with Opposition, but Truth and Reason will always at last prevail, and when we are fully convinced of the Goodness and Usefulness of what is offered, it has always hitherto been found, that a Sense of our Duty has in both Houses of Parliament got the Better of all other Passions which some Men might privately harbour in their Breasts. This, Sir, encourages me to persevere in what I have so often had the Honour to offer to this House, and to renew it again this Session, notwithstanding its bad Fate in former Sessions of Parliament. I am thoroughly convinced, that what I have to offer, is not only a good Thing, but absolutely necessary for the Preservation of our Constitution ; and therefore I hope it will, by its own Weight, at last force its Way through the Opposition it has hitherto met with.

I believe, Sir, every Gentleman in the House, by this Time, supposes that I mean the Bill for making more effectual the Laws in being, for disabling Persons from being chosen Members of, or Sitting or Voting in the House, who have any Pension during Pleasure, or
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for any Number of Years, or any Office held in Trust for them. This is the Bill I propose to have renewed; and as this House has been fully apprized of the Contents of the Bill designed in former Sessions for these good and salutary Purposes, I have prepared a Bill which I have here ready to offer to the House, and which is the very same, Word for Word, with that which in the very last Session of Parliament had the Approbation of this House; I therefore think it quite unnecessary to move the House for Leave to bring in such a Bill; but my Motion shall be for Leave to bring up the Bill which I have now in my Hand.

Hence a Debate ensued about the meer Form of introducing the Pension Bill. Mr. *W——n*, for the Borough of *D——ch*, in *Worcester/hire*, first observed, That the constant Practice of the House, for a hundred Years past, has been to move for a Bill to be brought in, and not for Leave to bring it up to the Bar. Should this laudable Method be broke into, and the ancient Custom reviv'd for each Member to present what he pleas'd, they might be surpriz'd into Things very improper and inconsistent with the Dignity of the House. Wherefore, though he had nothing to say against the Bill, 'twas his Opinion the honourable Gentleman's Motion ought not to be comply'd with; and to wave the Question, call'd for the Order of the Day.

Here Sir *E——d S——y*, for the County of *L——r*, stood up for the Motion, and declar'd, That he saw nothing in it irregular; for that Leave to bring in a Bill, or Leave to bring up a Bill, was in Effect the same Leave; nor could he conceive wherein lay the mighty Difference. Upon this Sir *W——m Y——ge* spoke as follows:

S I R,

I DO not at all wonder to see the Gentleman who made the first Motion, persevere in the same Thing; but I must confess I am a little surprized to see several State Topicks every Year renewed and insisted on by some Gentlemen in this House, notwithstanding their having seen these Topicks so often disapproved of by a Majority of the House. As to these, I am really quite tired with hearing the same Arguments repeated over and over again every Session of Parliament: The honourable Gentleman should not have said, that the Bill
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he mentioned had always passed, even in this House, without Opposition; there was generally some Gentlemen appeared against it, and even testified their Dislike to it: But let the Bill be what it will, let it be a good Thing, or let it be a bad Thing, the Manner in which the Gentleman desires to have it introduced, is very extraordinary. It is indeed a Privilege of the Members of the other House, that any Lord may offer a Petition or a Bill to the House without asking Leave of the House; but this Privilege the Members of this House have, for the Sake of Decency and Order, given up long ago; and I can see no manner of Reason for our re-assuming it, or for our beginning now to extend our Privileges beyond what they have been for so many Years past. As to the bringing of Bills into this House, it is well known, that the usual Motion on such Occasions is for Leave to bring in such a Bill as is proposed; but this is a new Sort of Motion; it is a Motion for Leave to bring up such a Bill, which is a very extraordinary Sort of Motion, and such as I am sure there is in the present Case, no manner of Occasion for, and therefore I really think the Motion ought to be rejected, it ought to have a *Negative* put upon it; but since the worthy Gentleman near me has waved that Point, and has moved for the Order of the Day, therefore I shall now only second his Motion.

Mr. P———r could not forbear taking Notice of what Sir William was pleased to say, touching the same Arguments, being repeated every Session of Parliament, tho' the Majority had often determined against them; adding, that whatever the worthy Gentlemen might think in that Respect, 'twas his Opinion the Majority could not alter the Nature of Right and Wrong; and for his Part, let the Majority determine as often as they would, yet he should always be ready to offer those Arguments, which he took to be good ones, against such as he thought were not so: As for the worthy Gentleman's being afraid lest the Members of this House should re-assume any antient Privilege, or extend those they at present enjoy, he saw no Reason for his being so cautious in that Respect, since what was proposed was in Effect no Re-assumption of any old Privilege, nor Extension of any Privilege they enjoy'd, 'twas at most neglecting only a Piece of Form upon an extraordinary Occasion, when there appear'd no manner of Use in observing it.

Mr.

Mr. P——r was seconded by Sir J——n R——t, for the Borough of E——m, who stood up for the Motion, and declar'd he saw nothing in it new or unprecedented, that he remembered there was a Bill presented in the House of late Years in the same, or rather in a more extraordinary Manner, and this was the last Suspension of the *Habeas Corpus* Act, when the Gentleman who brought in that Bill sitting close at the Bar of the House rose up, and after informing the House of the Danger the Crown and Kingdom were in from the rebellious Plots then carrying on, and the Necessity of impowering his Majesty to secure all suspected Persons, he told them he had prepared a Bill for that Purpose, and therefore mov'd for Leave to bring it up, which was immediately granted; and the Bill, to the best of his Memory, was read twice that Day, and order'd to be committed; that this was something more extraordinary than the Motion before them, because the Bill then order'd to be brought up had never been before the House, and by Consequence no Member could be any way apprized of the Contents thereof; whereas the Bill in Question has been before the House, and frequently had their Approbation. As for the Privilege inherent in every Member of this House, I believe there is none will dispute but that our antient Method has been for any Member to offer what he pleases. Sir W——m Y——ge found himself here, in some Manner, obliged to explain himself with Regard to that part of his Speech which touched on the Privilege of Members. Accordingly he reply'd:

S I R,

THERE seems to be a Mistake as to what was said about the Members of this House not being allowed to bring in any Thing without Leave of the House: This has not properly any Relation with what are called the Privileges of this; it is only a Restraint that the Members of this House have thought proper to lay on themselves, for the more orderly carrying on the Publick Business, and to prevent any Thing that is trifling from being brought before us; and this Restraint has been found so convenient and so necessary for preserving the Honour and Dignity of the House, that it has never for many Years been departed from, but upon the most extraordinary Occasions.

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His Opinion was back'd by Mr. Chancellor of the Exchequer, who added that the President quoted by Sir *John Rushout* was on one of the most extraordinary Occasions that ever can happen, and in a Case that required the utmost Dispatch; that in short there was no Comparison between that Case and the Case before them; that the Case of the Bill did in no ways depend on this extraordinary Method, for should the Gentleman move in the usual Manner for Leave to bring in the Bill, and Orders should thereupon be given by the House to some Gentlemen to prepare and bring in the same, this Method would be no hindrance to the passing of the Bill, or occasion its being put off 'till the next Session of Parliament; upon which Mr. *Sandys* rose up and spoke the second Time as follows:

S I R,

I SHALL be very far from making any Comparisons between the Case in Hand, or between any Case, and that which immediately concerns the Safety and Preservation of the Crown: But, as I had assured you that the Bill which I have in my Hand was the very same with that which had before been approved of by this House, I thought it was quite unnecessary for the House to observe that Ceremony of ordering some Gentlement to prepare and bring in a Bill which was already prepared, and which the House has approved of in the very last Session of Parliament. This was my Reason for moving for Leave to bring it up. I do not desire to bring any Thing into this House without first having the Leave of the House for so doing; yet I cannot think, that though the antient Method of proceeding were revived, the House would be in any Danger of being surprized into any Thing: There is no Bill can pass in this House 'till it has been three Times read in the House, and has passed thro' a Committee of the House, and while those Forms are observed, the House never can be surprized into the passing of any Bill, even though we should again re-assume that Privilege of every Member's having a Power to bring into the House whatever he pleases. It is not the Restraint we have laid ourselves under, that prevents the House's being surprized; it is the Necessity of having the Bill so often read before it can pass; for when a Gentleman has moved for Leave to bring in any Bill for the Purposes he mentions, the House cannot know whether the Bill

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prepared and brought in be according to their Orders till it be once read in the House: Some Gentlemen might move for Leave to bring in a Bill, and upon their obtaining such Leave, and being ordered to prepare and bring in the same, they might prepare and bring in a Bill of a quite different Nature, but this would probably be discover'd on the first Reading, the Bill would without Doubt be thrown out, and whoever endeavoured thus to impose on the House, would deserve, and would probably meet with a most severe Censure.

But the present Dispute is not whether any Thing shall be brought into the House without Leave; the whole Dispute really seems to be between the Words *to bring up*, and the Words *to bring in*; for my Part I am quite indifferent in this Affair; whether I have Leave to bring it up now, or to bring it in a little while hence, does not, in my Opinion, signify much; if I have Leave to bring it up, I must immediately take a Walk to the Bar; if I have Leave to bring in a Bill, and am order'd to prepare one for that Purpose, I shall take a Walk the same Way in a very little Time; this I do not take to be any material Difference. But as for the Bill itself, I do think it of such Consequence, that if there were any Method by which we could shew a more than ordinary Regard to the Bill, that Method ought certainly to be observed.

Then the Right Honourable Mr. S——r read from the Journal of the House of the ninth Year of his late Majesty's Reign, the Precedent mention'd by Sir J——s R——t, and said,

Gentlemen,

THE usual Method of proceeding in this House, as to the bringing in of Bills is, first, to move for Leave to bring in a Bill for such or such Purposes, and that being agreed to, the House then orders some of their own Number to prepare and bring in the Bill; this is the usual Method, but in the Precedent I have now read to you it appears, that the then Solicitor General moved for Leave to bring up such a Bill, which was granted; and he immediately brought up the Bill, and the same was read a first Time; from which it is plain that Mr. Solicitor, when he made his Motion, inform'd the House, that he had prepared such a Bill, and had it then ready to be laid before them, and there-fore

fore he moved for Leave to bring it up, which it seems the House at that Time comply'd with.

Upon this, some Gentlemen in the House, suspecting that he was, in Pursuance of this Precedent, going to put the Question, on the Motion made by Mr. Sandys, they call'd out No, no. Whereupon he said,

Gentlemen,

AS to the Affair in Hand, or any Affair that comes before this House, I am not to appear of one Side of the Question nor of the other. It is my Business to take Care that the Orders and Methods of proceeding shall be regularly observed. In all Questions about Order I am to inform you, so far as consists with my Knowledge, of what has been formerly done in the like Cases; and I am to take Care that all Decency and Order shall be observed, both in our Debates and Proceedings: This is my Duty, and this I shall always endeavour to perform as far as lies in my Power; In all Cases I am to observe those Directions that the House shall be pleased to give; and in the present Case I only desire to know from you, what Method you will observe, whether you are inclin'd to follow the Precedent now read to you, or if you are inclined to proceed according to the Method usually observed; But I must put you in Mind, that if you proceed according to the usual Method, Decency requires that the Bill shall not be brought in immediately after the Order for preparing and bringing in the same; it is necessary that some Time should intervene between the Order for preparing it, and the presenting of it to the House, and therefore I must desire, that those Gentlemen who shall be order'd to prepare and bring it in, may not go immediately to the Bar, and tell us, that they have, according to Order, prepared such a Bill, and are ready to bring it in.

After this, Sir William Wyndham, for the County of Somerset, concluded the Debate in Manner following:

S I R,

IAm surprized to hear any Gentleman in this House find Fault with Gentlemen insisting upon their Opinions, notwithstanding their having been disapproved of by a Majority in former Sessions of Parliament. I do not think that the Majority's being of a contrary Opinion, can ever be made Use of as an Argument for

convincing Men that they are in the Wrong : The Minority, notwithstanding their being out-voted, may still have as good an Opinion of their Opinions, as the Majority have of theirs. It has often happen'd, that what has been disapproved of by the Majority in one Session of Parliament, has been approved of by a Majority in some future, perhaps in the very next Session of Parliament ; and even as to the Bill now in Hand, it has been two or three Times approv'd of by the Majority of this House, and as often rejected or disapproved of by the Majority of the other House ; what their Reasons were I do not know, but I am of Opinion, that the same Reasons against the Bill were not offer'd to the Members of this House, that were offer'd to the Members of the other ; for if they had, it would probably have been disapprov'd of, and rejected by the Majority even of this House. From hence it appears, that the Majority's being of any one Opinion, is no infallible Sign of that Opinion's being right. This, Sir, I thought myself obliged to take Notice of, that those Gentlemen who happen to be generally of the same Opinion with the Majority, may not from thence conclude that they are certainly right. As to the Matter now in Dispute, I really think it is of no Moment : Whether the Gentleman shall have Leave to bring up the Bill, or to bring in a Bill, is to me a Matter of so much Indifference, that I cannot find out a Reason why the Gentleman's Motion should have been oppos'd ; for to order a Gentleman to prepare a Bill, after he has told us that he has prepared one, and that it is the very same with what the Majority of this House has in former Sessions approved of, really seems to me to be a little incongruous : I can find out no Reason for Gentlemen's insisting upon this Piece of Incongruity, unless it be that they have a Dislike to the Bill itself. We certainly ought in general to observe the usual Method of Proceedings ; but surely, we ought not to observe any customary Method, when the observing it appears to be in itself absurd.

Mr. *Sandys* at last not insisting on his Motion, but agreeing to have the Bill brought in according to the usual Method, the Question was put for Leave to bring in a Bill for making more effectual the Laws in Being for disabling Persons from being chosen Members of, or sitting or voting in the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Offices held in Trust for them ; which

was agreed to without any Opposition; and Mr. *Sandys* and Sir *Edward Stanley* were order'd to prepare and bring in the same. Then the House resolv'd itself into a Committee of the Supply, and as soon as that was over, Mr. *Sandys* presented the said Bill to the House, which was received and read the first Time, and order'd to be read a second Time.

On Friday the 2d of *February*, the House of Commons resolv'd itself into a Committee to consider further of the Supply granted to his Majesty, in which Committee (the Secretary at War being then ill, and not able to attend the House) Mr. *Andrews* for the Borough of *Hindon* in *Wiltshire* moved, That the Number of effective Men to be provided for Guards and Garisons in *Great Britain*, and for *Guernsey* and *Jersey* for the Year 1733, be (including 1815 Invalids, and 555 Men, which the Six Independent Companies consist of, for the Service of the Highlands) 17709 Men, Commission and Non-Commission Officers included.

This Motion was seconded by Mr. *Whitworth*, for the Borough of *Minehead* in *Somersetshire*; and in Opposition thereto, the Right Honourable the Lord *Morpeth*, eldest Son to the Earl of *Carlisle*, for *Morpeth* in *Northumberland*, moved, that the Number should be only 12,000 effective Men, in which he was seconded by Mr. *Harley*, for the County of *Hertford*.

Upon which a warm Debate arose, of which I shall only take Notice of the most remarkable Passages.

The principal Speakers, besides the two Gentlemen above mention'd were,

For the first Motion.

Sir *Thomas Robinson* for the Borough of *Morpeth* in *Northumberland*.

Sir *Richard Lane* for the City of *Worcester*.

Sir *Archer Croft* for the Borough of *Beeralston* in *Devonshire*.

Sir *William Yonge*.

The Hon. *Henry Pelham* for the County of *Suffex*.

Horatio Walpole, Esq; for the Town of *Yarmouth*, and

Mr. *Chancellor* of the Exchequer.

For the Second Motion.

Tho. Bramstone, Esq; for the Borough of *Malden* in *Essex*.

John Rolle, for the County of *Devon*.

Sir *John Barnard*.

The Master of the Rolls.

William Shippen, Esq;

Sir *William Wyndham*.

Tho. P——r for the Town of *Bridgewater* in *Somersetshire*.

Tho. W——m for the Borough of *Sudbury* in *Suffolk*.

The Hon. *Edward Digby*, Esq; for *Warwickshire*.

William

William Pulteney for the Borough of *Heydon* in *Yorkshire*.

Sir John St. Aubin for the County of *Cornwall*.

Sir Tho. Sanderson for the County of *Lincoln*.

Sir John Hinde Cotton, for the Town of *Cambridge*.

The chief Arguments made Use of in general by those who were for the first Motion were, That tho' the publick Tranquillity of *Europe* was now established, yet the Preservation thereof depended on so many Accidents, that it could not be certainly rely'd on, and therefore we ought always to be in such Circumstances, as to be able not only to defend ourselves, but likewise to fulfil all our Engagements to our Allies: That there was still a very powerful and considerable Party in the Kingdom, firmly attached to the Interest of the Pretender, and daily watching for an Opportunity to disturb the Quiet of the Nation, by endeavouring to overturn the present happy Establishment; and therefore it was necessary to keep up an armed Force sufficient to dissipate any sudden Insurrection that might be raised by such Men: That this Party was still the more audacious, and the more to be dreaded, because they were encouraged and spirited up by a great many scandalous and seditious Libels, which were daily spread abroad even by those who pretended to be Friends to the Protestant Succession, and to the illustrious Family now on the Throne.

Sir Archer Croft said, That the continuing of the same Number of Forces was the more necessary, because to his Knowledge Popery was increasing very fast in the Country, for that in one Parish which he knew, there were no less than seven Popish Priests; and that the Danger from the Pretender was the more to be feared, because they did not know but that he was then breeding his Son a Protestant.

Mr. Chancellor of the Exchequer took Notice, That a Reduction of the Army was the chief Thing wished for and desired by all the *Jacobites* in the Kingdom; that no Reduction had ever been made, but what gave fresh Hopes to that Party, and encouraged them to raise Tumults against the Government; and he did not doubt, he said, but that if they should resolve to reduce any

any Part of the Army, there would be Post-Horses employ'd that very Night, to carry the good News thereof to the Pretender and his Adherents beyond Seas.

To which Mr. *Horatio Walpole* subjoined, That the Number of Troops then proposed was absolutely necessary to support his Majesty's Government, and would be necessary, as long as the Nation enjoy'd the Happiness of having the present Illustrious Family on the Throne.

The chief Arguments made Use of in general, by those that were against the first Motion were,

That if they gave any Credit to his Majesty's Speech from the Throne at the Opening of the Session, which they were in Duty bound to do, the Tranquillity of Europe never was, nor ever could be on a more firm Basis than it was at present, and therefore a Reduction was now to be made in the Army, or such Reduction was never to be expected. As to the Pretender, they did not believe that there was any considerable Party for him in this Nation: That that Pretence had always been a Ministerial Devise made Use of only for accomplishing their own Ends; but that it was in reality a meer Bugbear, a Raw Head and Bloody Bones, fit only to frighten Children; for that they were very well convinced his Majesty reigned in the Hearts and Affections of his People; upon that his Majesty's Security depended; and if it did not depend on that, the Illustrious Family now on the Throne could have but little Security in the present Number, or in any Number of Standing Forces, that could be kept up for its Defence: That if there was any Disaffection, or any Discontent in the Nation, it was owing to the keeping up of such a numerous Standing Army in Time of Peace within this Kingdom, whereby the People were subjected to many Loads and Hardships which they were never before acquainted with: That the People of *England* had never gone into any violent Measures, or carry'd their Resentment to any Pitch against the Prince upon the Throne, but when the Prince, or those employ'd by him, were first in the Fault: That this Maxim was so generally true, that in our whole History, there was no Instance to the contrary, but only that which happen'd in the Reign of King *Charles I.* and that therefore, if there was any Uneasiness among the People, the proper Remedy was, to remove those Things which were the Causes thereof: If the Ministers should change their Measures, the People would certainly alter their Minds. That the Dutch were

were by the Situation of their Country in a much more dangerous State than we are or can be in, and yet the *Dutch* had then resolved on a Reduction of their Army, and therefore they thought we could have no Pretence for continuing ours.

Sir *William Wyndham* began first with observing, That though the general Arguments in the Affair before them, had often been canvased in that House, yet, *says he*, the Debate of this Day seems to me something new: In former Years the Gentlemen who were pleased to argue for the Continuance of a numerous Standing Army in Time of Peace, always argu'd for the Continuance thereof only for one Year longer; but Gentlemen have now thrown off the Mask, and are become daring enough to declare, that the same Number of Forces must always be kept up: A numerous Army must for ever be continu'd, and be made, as it were, a Part of our Constitution. We have already continu'd the Army so long, that some Gentlemen have told us to Day, what no Man would have ventur'd to have told us a few Years ago; and if we continue the same Army but a little while longer, it may be in the Power of some Gentlemen to talk to this House in Terms that will be no Way agreeable to the Constitution or to the Liberties of our Country. To tell us, Sir, that the same Number of Forces must be always kept up, is a Proposition full fraught with innumerable Evils, and more particularly with this, that it may make wicked Ministers more audacious than otherwise they would be, in projecting and propagating Schemes which may be inconsistent with the Liberties, destructive to the Trade, and burthensome on the People of this Nation. In Countries which are governed by Standing Armies, the Inclinations of the People are but little minded, the Ministers place their Security in the Army, the Humours of the Army they only consult, with them they divide the Spoils, and the wretched People are plunder'd by both.

In this Country, Sir, his Majesty has the Hearts, the Hands, and the Purfes of all his Subjects at his Service, and may he have them always at his Service; but I hope they will never be in his Power. His Majesty desires no such Thing; he never can desire it; he depends only on the Affections of his People; and therefore I am convinced that the Demand of so numerous a Standing Army, never could come from him: It is no Way necessary for his Support, whatever it may be for the

the Support of those who now desire to have it continued.

During this Debate, Mr. Rolle said, amongst other Things, that to him it appear'd, in order to preserve ourselves against one who might perhaps prove a Tyrant, we were going to establish 18,000 Tyrants, and to make their Establishment in some Measure a Part of our Constitution: And that in order to be free of a Religion which we think a bad one, we are resolved to have none at all: That as to the Party which the Pretender had in this Nation, he could not believe, *he said*, there was any such Thing: It was nothing but a mere Pretence, and the making Use of that Pretence on all Occasions, really could not but make him recall to Mind that wicked and blasphemous Saying of Pope Leo X. who on Occasion of a Procession's passing by while he was at an elegant Entertainment, said to his Cardinals, *Quantum profuit nobis hæc fabula Christi!*

This Speech, which was all extremely good, was concluded with these Words: Let us, *says he*, do as our Forefathers used to do, *Let us remove the Wicked from before the King, that so his Throne may be establish'd in Righteousness.*

Mr. Pulteney dropp'd a great many smart Expressions on this Subject; amongst other Things he said, he could not but be diverted with some Arguments that were then, and had been on former Occasions made Use of for keeping up a Standing Army in Time of Peace. Last Year we were told, that a Popish Solicitor was a dangerous Man to the Government, and now that Popish Solicitor has spawn'd out seven Popish Priests, and even the Post Horses I find have join'd in this traiterous Confederacy.

The Reply to the Argument brought from the Reduction of the Dutch Forces was, That the Reduction mention'd was not then agreed to by the States General: It was a great Question, whether it would or no, and if it should, it was only a Reduction of the last Augmentation, whereas the last Augmentation had been reduced by us long ago; so that the Dutch were now only a going to make that Reduction, which we had made upon the first Prospect we had of seeing the Tranquillity of Europe establish'd; and tho' the Reduction proposed in Holland should be made by them, yet they would still have in Proportion a much greater Number of Standing

Forces, than what was then proposed to be kept up in this Kingdom.

Mr. Chancellor of the Exchequer told the House, he could not but take Notice of an Observation he had heard made, as to the People's never carrying their Resentment to any Pitch against the Prince upon the Throne, unless the Prince, or those employ'd by him, were first guilty of some Fault. The Gentleman, *says he*, was pleased to admit of one Exception to this Rule, and that was in the Case of King *Charles I.* But the Gentleman ought, I think, to have admitted of another Exception, and that was in the Time of the King the very last upon the Throne; I do not know what Pitch of Resentment the Gentleman may mean, but I am sure there were some People who carry'd their Resentment against that King to a very high Pitch, and it cannot be said that he was ever guilty of any Fault, nor will it be said, I believe, that those employ'd by him had then, at least, been guilty of any Fault; yet some People carry'd their Resentment so high, that they appear'd in Arms, in order to dethrone him; thank God, they did not succeed in their Attempt, they happen'd luckily to be defeated by the small Number of Regular Forces we had then in the Kingdom, which were much inferior to them in Number; such was our great good Luck at that Time; but I must say, that those Gentlemen who desire to have the Country left as void of Defence as it was at that Time, can have but little Regard for our present happy Constitution, or for the Security of the Illustrious Family now upon the Throne.

At last the Question was put on the Motion made by Mr. *Andrews*, and it was agreed to, 239 to 171.

On Monday the 5th of February, this Resolution of the Committee of Supply was reported to the House, and thereupon *Watkin-Williams Wynne*, Esq; for *Denbighshire*, stood up, and moved for the Recommitting of that Resolution; which Motion was seconded by *William Bromley*, Esq; for the Town of *Warwick*; and thereupon ensu'd a new Debate, wherein the principal Speakers for recommitting, besides the two Gentlemen just named, were, Sir *John St. Aubin*, Mr. *Sandys*, Sir *Wilfrid Lawson*, *William Gwyn Vaughan*, Esq; *George Heathcote*, Esq; and *Tho. Wyndham*, Esq; And the principal Speakers against recommitting, and for agreeing with the Committee, were, the Lord *Hervey*, the Lord *Malpas*, Mr. *Danvers*, Mr. *Clutterbuck*, Mr. Attorney General, and Col. *Bladen*.

Bladen. In this Debate the Arguments made Use of on both Sides, were much the same with those made Use of in the Committee, and therefore we shall pass them over; only *Mr. Clutterbuck* having said, that he wonder'd to see Gentlemen so jealous of Encroachments upon our Constitution, at a Time when it was in its greatest Vigour, and shone forth in its purest Lustre; *Mr. Wyndham* in answer to him, gave the House a very Succinct and exact historical Account of our Constitution, and of the several Dangers it had been in, and the Changes it had gone through; and from thence he shew'd, that it was very far from being now in its greatest Vigour, but that on the contrary, there were many bad Customs had crept in of late, which were of dangerous Consequence to our Constitution, and might prove to be the Cause of its Overthrow, if some effectual Remedy was not speedily apply'd.

At last the Question was put for recommitting the above mention'd Resolution of the Committee, which was carry'd in the Negative, 207 to 143; after which, the said Resolution, and the other Resolution the Committee had come to, were agreed to by the House, without any Amendment or Division.

Then the Lord *Morpheth* rose up, and in a short and pathetick Speech represented the bad Circumstances of the Nation, by Reason of the great Debts and the many Taxes the People groan'd under, and therefore concluded with a Motion, That an humble Address be presented to his Majesty, humbly to desire his Majesty, that he would be graciously pleased, from his earnest Desire to ease his People of every Charge not absolutely necessary, and his Regard to the Constitution of this Kingdom, to take the first favourable Opportunity of making a Reduction of those Forces, which this House hath voted in Pursuance of the Estimate laid before them by his Majesty's Direction.

This Motion was seconded by *Mr. Sandys*, and the other chief Speakers in Favour of it were, *Sir William Wyndham*, *Mr. Pulteney*, *Mr. Shippen*, and *Mr. Heathcote*. The Arguments made Use of in general were, the great Necessity that there was for taking all Opportunities to reduce the Publick Expence; that thereby some of those Taxes might be taken off, which at present lay so heavy on our Trade and our Manufactures, that most of our Neighbours were enabled to undersell us in foreign Markets: That the keeping up of a Standing Army in

Time of Peace, without any absolute Necessity for so doing, was altogether inconsistent with the Liberties of this Nation : That though there might be at present an absolute Necessity for keeping up the Number of Forces agreed to by that House, yet that Necessity might cease in a few Months, perhaps in a few Weeks ; and if so, it would then become necessary both for the Ease of the Nation, and for the Preservation of the Constitution, to disband some of them : That though the King was always to be presumed to be thoroughly acquainted with the Circumstances of the Nation, and always inclined to do that which might most contribute to the publick Welfare ; yet it had always been the Custom of that House, and was the Duty of the House, to address the King upon Matters of very great Consequence ; in order to recommend to his Majesty those Measures which they thought would conduce most to the Happiness and Safety of the Nation.

The Speakers against this Motion were, Mr. Solicitor General, the Lord *Hervey*, *Henry Pelham*, Esq; and Mr. Chancellor of the Exchequer ; and their Arguments in general were, that the presenting of such an Address, was in some Measure inconsistent with the Resolution they had just then agreed to : It was resolving that the Number of Forces for the Year 1733, should be so many ; and addressing that they should not be so many ; that these two Resolutions following one another upon their Journals, would appear to be very extraordinary : That besides, the presenting of such an Address would be disrespectful to his Majesty, in so far as it would be a Sort of Insinuation that his Majesty might neglect taking the first Opportunity of reducing the Army, and thereby lessening the publick Charge ; and as they never yet had the least Occasion to suspect any such Thing, it would be now unjust to harbour any such Suspicion : That in many Cases it might be the Custom, it might be the Duty of that House, to address the Throne on particular Emergencies ; but in a Case that regarded his Majesty and his Administration in such a general Manner, as the Case in Hand did, it would be most disrespectful ; they might as well address his Majesty to govern according to Law, or not to encroach upon the Constitution, and an Address in such Terms would, they believe, be allowed to be shewing a very high Disrespect to the King upon the Throne.

In this Debate Mr. Shippen having insisted a good deal on his Majesty's knowing how much the Nation was loaded with Debts and Taxes, and how inconsistent it was with our Constitution, to keep up a Standing Army in Time of Peace, and that therefore his Majesty, he was sure, would not look on their presenting of such an Address as any Way disrespectful to him; and some of his Expressions on this Subject having been taken Notice of, and pretty much inveighed against by the Gentlemen on the other Side; Mr. Shippen, in his Reply, said, That he could not but look on himself as a very unfortunate Man, for that in the late Reign he had incurr'd the Displeasure of many Gentlemen, and had undergone a severe Censure of that House, for saying that it was one of the greatest Misfortunes of his late Majesty's Reign, that he did not know our Language, and was unacquainted with our Constitution; and now, says he, I find I have disobligh'd several Gentlemen by saying that his present Majesty well knows the Circumstances of the Nation, and is acquainted with our Constitution. But let them take it as they will, I must think that his Majesty is thoroughly acquainted with both, and that therefore he will look upon such an Address as proceeding from that honest Care and Concern which we ought to have for those who send us hither, and not as proceeding from any Disrespect towards him. His Majesty cannot be displeased therewith, and those we represent must be highly pleas'd to see us so watchful of all Opportunities to lessen their Charge, and to recommend their Ease and Advantage to the Crown.

At last the Question was put, and the House came to a Division, but it was carry'd in the Negative, 203 to 136.

On the 7th Day of *February*, being the Day on which the House of Commons was (according to Order) to resolve itself into a Committee to consider of Ways and Means for raising the Supply granted to his Majesty; the following Motion was made, *viz.* 'That this House will raise the necessary Supplies for the current Service of this Year, without creating any new Debt upon any Fund whatsoever.' This Motion occasion'd a long Debate, but at last, upon the Question's being put, it was carry'd in the Negative; after which, they went into the said Committee, but the Affair against which the above Motion was design'd, did not come on that Day.

On the *Thirteenth* of *February* Sir *Wilfrid Lawson* 'rose' up and spoke on the *Spanish Depredations* as follows :

S I R,

THE many and great Losses our Merchants have sustained by the Depredations committed on them by the *Spaniards*, are, I believe, well known to every Gentleman in this House, and it is likewise known that by the second Separate Article of the Treaty of *Seville* all those Affairs were to have been settled and adjusted in the Space of three Years: These three Years are now expired, but I do not know that any Body knows how any of those Affairs have been settled and adjusted, at least I cannot hear of any one of our Merchants who has met with any Redress.

As the Time is now expired, I hope our Merchants have already got, or are very soon to receive a sufficient Reparation for all their Sufferings; this I hope for, and I should be extremely glad to have my Hopes confirmed; it is an Affair on which the Happiness of many private Men depends, and is of so much Consequence both to the Honour and Trade of this Nation, that it is incumbent upon us, as Members of this House, to enquire into it; and therefore I shall move, than an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions, that there may be laid before this House, Copies of the Reports made by his Majesty's Commissaries in *Spain*, together with all Letters and Papers relating thereto; and what Satisfaction has been made to the Subjects of *Great Britain* for the Losses they sustained by the Depredations of the *Spaniards* in *Europe*, or in the *Indies*, pursuant to the second Separate Article of the Treaty of Peace, Union, Friendship, and mutual Defence between the Crowns of *Great Britain*, *France* and *Spain*, concluded at *Seville* on the 9th of *November*, 1729.

This Motion being seconded with Warmth, a Debate ensued, upon which Mr. Chancellor of the Exchequer found it advisable to acquaint the House, That such an Address as has been moved for, may, if Gentlemen insist on it, be presented to his Majesty; but I can now assure you, that there is as yet nothing that his Majesty can lay before you; for though by the Treaty of *Seville* the Commissaries of the two Nations were to settle all the Affairs referred to them by that Treaty, within the

Space of three Years from the Date thereof, yet by Reason of several unforeseen Accidents, they never could meet so as to enter upon, or do any Business till the Month of *February* last : Since that Time they have been proceeding upon the Affairs referred to them ; but as yet there is nothing brought to that Maturity, or formed into such a Shape, as to be proper to be laid before this House. The Delays they at first met with, made it necessary to prolong the Time for settling and adjusting those Matters, and therefore it has been agreed between the two Nations, that the three Years shall be computed from that Day in *February* last, on which the Commissaries first met ; and by that Time it is to be hoped that all those Affairs will be settled in such a Manner, as will give full Satisfaction to every Member of this House, and full Reparation to every one of the Subjects of *Great Britain*, who has met with a real Injury from the *Spaniards*.

Here Mr. *Pulteney* answer'd as follows :

S I R,

THERE is a Term made Use of in the Exchequer called *Nichil*, which Term has been some Times made Use by the Gentleman who spoke last, and has often been given as an Answer to this House, when Accounts of the Produce of some certain Branches of the Revenue have been called for. Now as to the present Affair, it may be that there has not as yet been any Thing done, or at least not brought to Maturity, and formed into such a Shape as to be proper to be laid before this House : This, I say, may be the Case, though I must say it is a little surprizing, that in so long a Time there should have been nothing done ; however, supposing that it is the Case, yet his Majesty may give us this Exchequer Term for Answer ; he may tell us that there has not as yet been any thing done : It is from his Majesty only, that this House can properly have an Answer ; even such an Answer we are not to take from any Member of this House, or from any Subject whatsoever. And as the presenting of such an Address to his Majesty will shew our Constituents that we are careful of the Affairs of the Nation, and have a Concern for the Merchants who have been so great Sufferers by the Depredations committed by the *Spaniards* ; therefore I am for agreeing with the Motion.

Sir

Sir Tho. Aston added,

S I R,

IF in all this Time there has been nothing done by those Commissaries, I am much afraid that this Affair may be spun out to a very great Length. I do not know but that it may last as long as the Gentlemen who are employed as our Commissaries may live; for as they have thereby a good Salary from, and all their Charges borne by their Country, they may not perhaps be too hasty in concluding the Affairs referred to them, and thereby putting an End to the beneficial Post they enjoy; and on the other Hand it is to be presumed, that the *Spaniards* will make Use of all the Excuses they can invent for delaying their making that Reparation which in Justice they ought to do, and which we are engaged in Honour to insist on. It is therefore our Duty, as Members of this House, to desire from Time to Time to know what is doing in an Affair in which both the Interest and the Honour of the Nation is so much concerned, in order to prevent all unnecessary Delays, and to satisfy the World that this Nation does not tamely put up such Injuries.

Mr. Conduit for the Borough of *Whitchurch* in *Hampshire*, took this Occasion to deliver his Sentiments in Behalf of the Gentlemen employ'd as our Commissaries in *Spain*, to this Effect,

S I R,

I Find there is a very great Mistake in Prejudice to the worthy Gentlemen our Commissaries in *Spain*. I must do them the Justice to declare, that to my Knowledge they very much despise the Salaries they have from the Publick, and are pushing as much as possible the Accommodation of all the Affairs referred to them, in order that they may return home to look after their private Affairs. I am very sure that there is not one of those Gentlemen, who for the Sake of the Salary would have gone out of the Kingdom, or who would stay one Month in *Spain*, or any where, for the Sake of enjoying so trifling a Benefit. It was the Hopes only of being serviceable to their Country, that prevailed on any of them to go thither, and they are doing as much as lies in their Power to render their Service as beneficial as possible to their Country; the sooner that Affair is brought to a Conclusion, the more beneficial will their Service

Service certainly be. This I know to be the Case as to the Gentlemen that are employed, but if it were otherwise, his Majesty could certainly take Care that no unnecessary Delays should be allowed in an Affair of such Consequence, and certainly will lay before this House an Account of all the Proceedings in that Affair as soon as it can be conveniently done; and therefore I must be of Opinion, that there is no Occasion for our presenting any such Address as has been moved for.

Mr. Pulteney reply'd on the other Side :

S I R,

WE may always depend on it, that his Majesty will take all possible Care of this, as well as of every other Affair that regards the Honour or the Happiness of the Nation; but in all Affairs his Majesty must employ others under him, he must necessarily employ Ministers, and other inferior Agents to transact and manage the publick Affairs of the Nation; and as they may be dilatory or negligent, therefore it is the Duty, and has always been the Practice of this House, to enquire into the Management of Affairs of great Consequence. In the present Case, I am for the Address proposed, because it will be a Spur to the Ministers, to procure as speedy and as ample a Satisfaction to our injured Merchants, as they can possibly get. Our having taken Notice in the last Session of Parliament of the *Spanish* Depredations, procured, I believe, those Commissions and Instructions which were last Summer sent to his Majesty's Ships of War in the *West Indies*. That, I believe, was the chief Cause of sending some of our Ships to the *Spanish* Coast to demand Satisfaction for *English* Merchant Ships which they had violently taken, and unjustly confiscated. One of these Captains did accordingly, in Pursuance of the Instructions he had received, send his Boat with his Lieutenant and some of his Sailors on Shore, to demand the Satisfaction proposed; but the *Spaniards* were so far from complying with so just a Demand, that they added a new Affront, and made the Lieutenant and the Men Prisoners; whereupon he, like a brave, honest, downright *English* Captain, did what he ought to do, he seized the first *Spanish* Ship he could meet with; but I have been since informed, that this *Spanish* Ship has been restored, tho' the *English* Ship has neither been restored, nor have the Owners met with any Satisfaction for the Damage and

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Loss they have sustained. How this came about, how we came to restore this Ship to them, before they had agreed to release our Ship, is more than I know, or can comprehend; for as they had done the first Injury, they ought, in my Opinion, to have been obliged to have made the first Reparation. As to the Gentlemen that are employ'd as our Commissaries in *Spain*, I do not know whether they despise their Salaries or no, but I am sure, if they continue as long in *Spain* as one Gentleman seems apprehensive they may, it will verify what I said in this House in Relation to those Affairs, that it would have been better for the Nation, and more to the Satisfaction of the Sufferers, to have given up the Affair at first, and to have given the Sum of Money which such Commission might have cost the Publick, to be divided among our Merchants, who had been robbed and plunder'd by the *Spaniards*; for even as it is, I am afraid that if the Charges that that Commission has already, and will stand the Publick in, were to be deducted from the Sum which we may recover from the *Spaniards* by Way of Reparation, there will very little remain to be divided among the Sufferers.

Here Mr. Chancellor of the Exchequer observed, that wherever the Honourable Gentleman who spoke last got his Information in Relation to the Restitution of the *Spanish Ship* he made Mention of, to his Knowledge it was erroneous; for that at the same Time, Orders were sent from hence for releasing the *Spanish Ship*, Orders were in like Manner sent from the Court of *Spain*, for releasing and restoring the *English Ship* and Cargo, which they had before taken, and that her not being restored was no Neglect either at this or the *Spanish Court*, but to the Excuses, Shifts, and Delays of his Catholick Majesty's Governors in the *West-Indies*; who, notwithstanding express Orders from their Court for delivering up the Ship and Cargo, had found some new Pretences for delaying it.

If this be the Case, reply'd Mr. Plumer, as the honourable Gentleman who spoke last is pleased to assure us, I cannot but with Pleasure observe, that if ever any future War should happen between *Spain* and us, we must certainly get the better of them; for our Governors and Officers in the *West-Indies* are, it seems, most punctual and exact in observing and obeying the Orders and Instructions they receive from hence, even the

tho' they may be perhaps not much to their own private Liking; whereas on the other Hand, it appears that his Catholick Majesty's Governors and Officers in those Parts have but little Regard to the expresse Orders they receive from him; his Majesty, it seems, has no Authority over his own Officers, and consequently in Case of a War between us, we would have a very considerable Advantage over that Nation.

There were other Gentlemen, spoke against Addressing, but as all the Speakers against it seemed to be pretty indifferent, and the Gentlemen of the other Side insisting upon their Motion, therefore it was at last agreed to without any Division; and the Address having been accordingly presented, Mr. Comptroller reported to the House on the 16th, his Majesty's Answer, which was thus:

THAT although by the Treaty of Seville, the Commissaries on the Part of Great Britain and Spain were to meet within four Months after the Exchange of the Ratification of that Treaty, and their Commissions to continue for three Years from the Date of the said Treaty; and altho' his Majesty's Commissaries were appointed on the 2d of April 1730, yet by several unforeseen Accidents, the Meeting of the Commissaries in Spain was so long delay'd, that the first Conferences were not open'd 'till the 23d of February 1733, N.S. and that as so much Time was elapsed before the opening of their Commissions, it has been since agreed between the two Crowns, that the three Years for finishing the Commission of the said Commissaries shall be computed from their first Meeting on the 23d of February last; which makes it impracticable for his Majesty to give the proper Orders, for laying a perfect Account before this House, of what is desired in their Address.

On the 14th of February, the House of Commons resolved; that it would on Tuesday Morning then next resolve itself into a Committee of the whole House, to consider of the State of the Trade of his Majesty's Sugar Colonies in America; but upon the said Tuesday it was put off 'till next Day, being Wednesday the 21st of February, when the House did resolve itself into the said Committee, and Mr. Wynn moved for a Resolution, ' That no Sugar, Paneels, Syrops, or Melasses, nor ' any Rum or Spirits, except of the Growth or Manufacture of his Majesty's Sugar Colonies in America, ' should

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should be imported into *Ireland*, but from *Great Britain* only.

This Motion was opposed by Mr. Carey, Representative in Parliament for *Clifton*, &c. who said in Substance, That he would with all his Heart join in any proper Measures that could be proposed for encouraging our Sugar Colonies, but he could not agree to the altering the Laws as they then stood, with respect to the Importation into *Ireland*: That the allowing of Rum to be imported directly into *Ireland* from any of our Colonies in the *West-Indies*, was with Design to discourage as much as possible the Consumption of *French* Brandies in that Kingdom; which Design would be entirely overthrown by the Resolution proposed, if any new Law should be made in pursuance thereof; for if it should be made necessary to bring Rum to, and enter it in *England*, before it could be carry'd to *Ireland*, it would very much enhance the Price of that Commodity, by which the Consumption thereof would be discouraged and diminished, and the Consumption of *French* Brandies would consequently be increased: That he thought it was unreasonable to lay such a Restriction on the Trade to *Ireland*, because that Kingdom was a Part of our own Dominions, and contributed very considerably to the Riches and Power of *England*: That besides, if a Law should be made in the Terms of the Resolution proposed, it would probably embroil us with some of our Neighbours; That he did not know but the *French* would look upon it as a Breach of that Article of the Treaty of *Utrecht*, by which it was stipulated, that the Trade between *France* and us should remain on the same Footing it was on at that Time; and the *Portuguese* would certainly look on it as a Breach of the Treaties of Peace and Commerce subsisting between us and them, because, by such a Law the Importation of *Portugal* Sugars directly into *Ireland*, would be expressly prohibited.

He was answer'd by Mr. Scrope, for the City of *Bristol*, who spoke for the Motion as follows, That as to the enhancing of the Price of Rum in *Ireland*, and thereby discouraging the Consumption thereof in that Kingdom, there was no such Consequence could ensue from the Resolution proposed, or from any Law that could be made in Pursuance thereof, because there might still be as much Rum as was requisite for the Consumption in that Kingdom imported directly thither from our own Sugar Colonies in *America*; what was proposed by the
Resolu-

Resolution moved for, was only to prohibit the direct Importation of any of the Commodities mentioned therein, from any of the other Colonies in *America*, and we had very good Reason for making such a Prohibition, because it appeared that what was imported directly into *Ireland* from the other Colonies, was generally the Produce of the Foreign Sugar Colonies in that Part of the World, whereby the Trade of those Colonies was very much encouraged and improved, to the Ruin of our own Sugar Colonies in *America*: That though we were to look upon *Ireland* as a Part of our own Dominions, yet we ought not to allow them to encroach upon any Branch of the Trade of *England*: It was very well known that they were always endeavouring to encroach upon our Trade; and if we did not take Care to keep that Country under the Yoke, they might in Time grow so rich as to be able to throw it off, which they would perhaps willingly do, if ever it should happen to be in their Power: That as to *Portugal*, some Words might be put in, or some Proviso added, for obviating any Exception that might be taken by them.

Here Mr. Dodington for *Bridgwater* in *Somersetshire* said, He was sorry to differ from his honourable Friend that sat by him, but that he had alway look'd on Prohibitions in Trade as of dangerous Consequence, and that therefore no Prohibition ought ever to be laid on it, but such as are in their own Nature absolutely necessary: That we had no Reason to be jealous of *Ireland*, or to lay them under many Restraints and Prohibitions; that Country had always appeared loyal and zealous for his Majesty, and for the present Royal Family; they had generally behaved as good Subjects, at least for many Years last past; and he believed the best Way to keep them so, was to give them all proper Encouragement, and to shun as much as possible laying them under any particular Restraints or Disadvantages: That he looked on that Kingdom in a very different Light from what some other Gentlemen seemed to view it in; the People thereof he always consider'd as a Part of ourselves, and he hoped they, or at least the most of them, never did, nor ever would look upon themselves as being under any Yoke, but that of the Government, and the Laws of their Native Country.

Mr. *Horatio Walpole* observed next, that as to what was proposed by the Regulation moved for, he could perceive nothing therein contrary to the Treaties of Peace

Peace and Commerce subsisting with Foreign Powers, 'twas a Regulation of Trade only within our own Dominions, and had no Relation to that of our Neighbours. If we were to prohibit the Importation of any one of their Commodities into any Part of the *British* Dominions, they might perhaps have Reason to take it amiss; they might say, that such a Prohibition was an Infringement of some of the Stipulations subsisting between us; but what was now proposed, was not a general Prohibition, it was only the appointing of such particular Places within our own Dominions for the Importation of such Commodities, and prohibiting the importing of them at some other Places: As this regarded only our Trade among ourselves, no foreign Power could take any just Exceptions thereto; but however, since there was no Design of prohibiting the Importation of *French* Spirits, or *Portugal* Sugars, directly into *Ireland*; therefore he would propose an Amendment, and that the Resolution should be in the Terms following, *viz.* That no Sugar, Paneels, Syrups, or Melasses, of the Growth, Product, or Manufacture of any of the Colonies or Plantations in *America*; nor any Rum or Spirits of *America*, except of the Growth or Manufacture of his Majesty's Sugar Colonies there, be imported into *Ireland*, but from *Great Britain* only.

The Resolution being thus amended, it was agreed to without any Division; and then

Mr. *Wynn* stood up again and mov'd, 'That a Duty of 4s. per Hundred Weight, Sterling Money, be laid on all foreign Sugars and Paneels imported into any of his Majesty's Colonies or Plantations in *America*.' Which was agreed to without any Opposition.

Then Colonel *Bladen* moved the two following Resolutions, *viz.*

1. That a Duty of 6d. per Gallon, Sterling Money, be laid on all foreign Melasses and Syrups imported into any of his Majesty's Colonies or Plantations in *America*. And

2. That a Duty of 9d. per Gallon, Sterling Money, be laid on all foreign Rum imported into any of his Majesty's Colonies or Plantations in *America*.

Sir *John Barnard* opposed the said Resolutions as follows: That as the Trade then stood, between our Northern Colonies and the *French* Sugar Islands, it appeared that our Colonies bought Melasses of them at a very low Price, and distilled them into Rum, by which they provided

provided themselves at a small Charge with the Rum that was necessary for them in their Trade with the *Indians*, and in their Fishing Trade; they had, it was true, most of the Materials for making this Rum from the *French*; but then the Manufacture was all their own, and thereby a great many of our Subjects in that Part of the World were employ'd and maintain'd: That by laying such a high Duty on *French* Melasses, we should lay them under a Necessity of manufacturing it themselves, so that our Subjects would lose all that Employment, and instead of buying Melasses in their natural Dress from the *French*, as they did formerly, they would be obliged to purchase the same Melasses manufactured into Rum, whereby the *French* Sugar Islands would take of them at least three times the Money they took formerly. That as Melasses was a Bulky Commodity, it would not be easy to run them into any of our Northern Colonies, so that the *French* would be laid under an absolute Necessity of manufacturing them into Rum, and when manufactured into Rum, it would be easy to carry that Rum and sell it in a Smuggling Way to our Fishing Vessels at Sea, and even to run it into every one of our Colonies on the Continent of *America*. The Sea-Coasts belonging to us in that Part of the World were of such a vast Extent, and so many little Harbours and Creeks to be every where met with, the Roads so little frequented, and the Towns so open, that it would be impossible to prevent the Running of *French* Rum on Shore, or the Conveying it from one Town to another after it is landed. No, not even if we should send thither the whole Army of Excise Officers which we have here at home. The sending them thither, might, indeed, add a good deal to our Happiness in this Country, but all of them together could be of no Service for such a Purpose in that Country. That as to the laying a Duty both upon foreign Rum and Melasses, he would not be altogether against it, but then it ought to be only a small Duty, for the Sake of giving an Advantage to our own Sugar Colonies in that Respect, not such a high Duty as was in a Manner equal to a Prohibition; for that was really granting a Monopoly to our Sugar Islands, with respect to a Commodity that is absolutely necessary for our Northern Colonies both in their Fishing Trade, and in their Trade with the native *Indians*; and as the *French* were our Rivals likewise in both those Trades, we were about giving them

them a certain Advantage as to these Trades, and that without doing them any Harm as to their Sugar Trade; for if they sold Sugar and Rum cheaper than our Colonies did, they would have Vend enough for all they could make, they would have a stolen Market for it in the *British* Dominions, and an open Market in all other Parts of the World.

To which Colonel *Bladen* made Answer, That he had often heard our Army of Excise Officers set in a very terrible Light, and represented as of the most dangerous Consequence to the Liberties of the Nation, but now he heard it urged that this whole Army would not be able to reduce our Northern Colonies; and he was sure, if they were not, there was no Fear of their being able to reduce this Nation. But without sending any of that Army to *America*, he hoped there would be no such Thing as Smuggling in that Part of the World; it was to prevent such a pernicious Practice, that he proposed only laying a Duty on Foreign Rum, he did not propose a Prohibition, and the Duty he had proposed was no higher than what was absolutely necessary for putting our own Sugar Islands on an equal Foot with the *French*.

Sir *John* reply'd, That he had said that our whole Army of Excisemen would not be able to prevent the Running of *French* Rum in that Country; he did not talk of reducing the Country, he had not so much as mentioned the Word, but he believed it would be much easier to reduce the Country, than to prevent the Running of *French* Rum in it, in Case what was then proposed should take Effect: That if the Gentlemen really meant to prevent Running, he was very unfortunate in what he had proposed, for he had proposed the only Method that could be thought on, for setting up and encouraging the Smuggling Trade, which was that of laying on a high Duty, equal, if not above the first Price of the Commodity upon which it was laid.

There were several other Gentlemen spoke upon this Subject; some of whom were against the two Resolutions proposed, some for amending them, and some for agreeing; at last the Question was put, and they were severally agreed to without any Division.

After this, the two following (being the 5th and 6th Resolutions) were agreed to without any Opposition, viz. 1. 'That all the Duties charged on the Importation of all Sugars and Panels of the Growth, Pro-

duct,

‘ duct and Manufacture of his Majesty’s Colonies and
‘ Plantations in *America*, into *Great Britain*, be drawn
‘ back on Exportation of the same.

2. ‘ That a Drawback or Allowance of 2 s. *per* Hun-
‘ dred Weight on all Sugars refin’d in and exported
‘ from *Great Britain*, be paid on the Exportation thereof,
‘ over and above all Drawbacks or Bounties now paya-
‘ ble thereon.

This last Resolution was seconded by Sir *John Barnard*, who said, That he would agree to that as well as the other Resolution with all his Heart, for that these two were the only Resolutions they had come to, which, in his Opinion, would be of any real Use to our Sugar Colonies, and particularly the last Resolution he was glad to see moved; because he hoped it would make them think of some other Things relating to our Trade, which stood in need of some such Redress from Parliament. There were several Foreign Materials imported into this Kingdom, liable to Duties on Importation, which Duties were drawn back, if the Materials were again exported in the same Shape, but if manufactured and made more valuable by the Labour of our own People, neither the Merchant nor the Manufacturer could draw back the Duties, even though they should afterwards export the same, and could shew that this Manufacture was made of Materials that had paid a Duty on Importation, and would have had a Drawback on Exportation, if they had been carry’d out rough as they were brought in: This he said was a scandalous Oversight when these Duties were first imposed, but it was much more scandalous that in so long a Time this Oversight had never been amended. There were, he said, several Examples of this Oversight could be given, but he would then only mention the Duties on foreign Hemp, Flax, Cordage, &c. which were drawn back, if the Goods should be exported in the same Condition they were imported; but if these very Goods should, by the Labour and Industry of our own People, be manufactured into Cables, Ropes, and other Tackle for Shipping, and then exported, the Exporter could not have any Drawback: This, he said, was a great Loss to that Branch of our Trade, which was a very considerable Branch, but would be much more considerable if it were not for this Hardship it laboured under.

These Resolutions being all agreed to as above mention’d, a Bill was then order’d to be brought in pur-

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suant to them; and the same was accordingly brought in, and passed into a Law.

On the 21st of *February*, the Bill commonly known by the Name of the Pension Bill, pass'd the 3^d reading, and Mr. *Sandys* was order'd to carry it up to the House of Lords, and desire their Concurrence.

Next Day his Majesty came to the House, and gave the Royal Assent to

An Act for continuing the Duties on Malt, &c.

An Act to allow further Time to *John Thomson* to appear and make a Discovery, &c.

With another Private Act.

On the 23^d of *February*, the House, according to Order, resolv'd itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty. And the Account of the Moneys then remaining in the *Exchequer*, of the Produce of the Sinking Fund, disposable by Parliament, having with others been referred to the said Committee, Mr. *Chancellor* of the *Exchequer* stood up and spoke in Substance as follows :.

S I R,

IN the last Session of Parliament, this House came to a Resolution, which, in my Opinion, was a good and most reasonable Resolution; and that was to ease the Landed Interest of one Shilling in the Pound upon the Land Tax, by granting in lieu thereof, a Duty on Salt for three Years. By this the Landed Interest, which has for so many Years borne so great a Share of the publick Expence; has in this last Year found a most sensible Ease; and if any Method can be fallen on for continuing this Ease to them, such Method ought certainly to be follow'd. As I had in last Session of Parliament the Honour of moving for that Resolution, the Approbation I then met with, encourages me now to offer to your Consideration another Motion, which I hope will be equally agreeable, and that is, that it may be resolved, ' That it is the Opinion of this Committee, that £ towards raising the Supply granted to his Majesty, £ there be issued and apply'd the Sum of 500,000*l.* out of such Moneys as have arisen from the Surplusses, Excesses, or Overplus Moneys, commonly call'd the Sinking Fund, over and above what hath been apply'd to the Payment of one Million, towards discharging the National Debt, pursuant to an Act of the last Session

‘Session of Parliament.’ This Motion, I hope, will meet with the Approbation of this House; for it has always been my Opinion, and I believe it will be granted by every Man, that the publick Expence ought always to be raised according to that Method which is the least Burthenfome to the People: By this Method we shall provide for a great Part of the current Service of the Year, without laying any Burthen whatever on the People, and without doing Injustice to any Man, or to any Set of Men: The Case of the Creditors of the Publick is now very much alter’d from what it was; the Competition among them is not now which of them shall be first paid, but which of them shall be the last to be paid; and therefore Gentlemen need not now apprehend, that any of the publick Creditors will look upon the House’s agreeing to this Motion as an Injustice done them, or as any Hardship put upon them; on the contrary, they will look on it as a Favour, and would be glad that a much larger Part of that Fund were to be apply’d in the same Manner. And this Motion ought the rather to be agreed to, more-especially by those who have a Regard for the Landed Interest, because we can thereby continue to the Landed Gentlemen that Ease which we granted them last Year; whereas if this Motion shall appear not to be agreeable to the Committee, then I, or some other Gentleman of this House, must move for a Land-Tax of Two Shillings in the Pound, there not being, so far as I know, any other Way or Means left of providing for the current Service of the Year.

Upon this there ensu’d a long Debate; in which the following Gentlemen spoke in Substance, *viz.*

Mr. William Pulteney.

S I R,

THough I was aware of the Motion now made by the Honourable Gentleman sitting near me, yet I was in Hopes that what he has now moved for, was not all that he was to open this Day to the Committee we are now in; and therefore I shall conclude with a Motion of a different Kind from what the Gentleman has been pleased to make to us. But, *Sir*, there is another Thing, a very terrible Affair impending! A monstrous Project! Yea, more monstrous than has ever yet been represented! It is such a Project, as has struck Terror

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into the Minds of most Gentlemen within this House, and into the Minds of all Men without Doors, who have any Regard to the Happiness or to the Constitution of their Country. I mean, *Sir*, that Monster, the Excise! That Plan of Arbitrary Power, which is expected to be laid before this House in the present Session of Parliament. This, I say, is expected, and therefore I am for having the whole of that Gentleman's Designs laid before this Committee at once, and a sufficient Time given for us to consider the whole, before we come to a Resolution on any Part.

Of late Years, Gentlemen have been led, I do not know how, into a new Method of proceeding in Parliament, a Method very different from what our Ancestors did always observe. In former Times, the general or particular Grievances were first examined, consider'd, and redress'd in Parliament, before they enter'd upon the granting of any Supplies; but lately we have been led into a Method of granting all the Money necessary for the Publick Service among the first Things we do. The Malt Tax Bill, the Land Tax Bill, and such Bills are now in every Session the first Things that appear upon the Journals of this House; and when these Things are finished, the Gentlemen in the Administration generally look on the whole Business of the Session to be over. If this House should then enter upon any disagreeable Enquiries into Grievances, we might then perhaps be told, that the Season was too far spent, that it was necessary for Gentlemen to return home to mind their private Affairs; we might probably be obliged to defer to another Session, what the Welfare of this Nation required to be determined in the present. I hope Gentlemen will consider this, and that they will again begin to follow the wise Method observed by our Ancestors, and keep some Security in our own Hands, for our sitting 'till we have heard and redressed all the Grievances of our Fellow Subjects. There are several Things which we ought to examine into, before this Session shall be concluded. Does not every Gentleman know? Does not every Gentleman expect that there is an Application to be made to us from the *South-Sea Company*? That Company has now made Choice of a Set of honest Proprietors to be the Directors of their Affairs; they are enquiring into the State of that Company's Affairs, and they must enquire into the Management of their Affairs for some Time past; In both these they will stand

stand in need of a Parliamentary Relief, and in both it ought to be granted them.

The honourable Gentleman addresses himself in a very particular Manner to the Landed Interest; I hope every Gentleman in this House has a Regard for the Landed Interest; but I hope the Landed Gentlemen of this House are not to be bully'd into any Ministerial Jobs, by telling them, that if they do not agree to such a Motion, a Land Tax of Two Shillings in the Pound must be moved for. I hope, *Sir*, the Landed Gentlemen will never be induced to consent to any Thing that may undo the Nation, and overturn the Constitution for so small a Bribe, so trifling a Consideration, as that of being free from the Payment of One Shilling in the Pound Land Tax; and for one Year only. The Landed Gentlemen of this Nation have often ventur'd their All in their Country's Cause, and it is an Indignity offer'd to them, to imagine, that their paying or not paying such a Trifle as One Shilling in the Pound Land Tax will be of any Weight with them, when it comes in Competition with the Welfare and Happiness of their Country.

The Sinking Fund, that Sacred Deposit for extinguishing the Debts, and abolishing the Taxes which lie so heavy on the Trade and the People of this Nation, ought never to be touched; no Consideration whatever ought to prevail with us to convert that Fund to any Use but that for which it was originally design'd. It has of late been too often robb'd; I beg Pardon, *Sir*, Robbing is a harsh Word, I will not say robbed; but I must say, that upon several Occasions there have been considerable Sums nipped away from it: Upon the Demise of his late Majesty, a large Sum was taken from the Sinking Fund, and apply'd to the Civil List; by the taking off the Salt Duty, another large Yearly Sum was taken away from that Fund; the People are now again charged with that Duty, but no Restitution has been made to the Sinking Fund. Thus, *Sir*, there has been already a very large Sum taken from it at several Times, and now it is propos'd to snip off it 500,000 *l.* at once. At this Rate, the People of this Nation must for ever groan under the Load of Taxes they are now subject to; and our Trade, as long as we have any left, must labour under the Difficulties and Discouragements it is now expos'd to. Is this consistent with the Welfare or Happiness of the Nation? Is this the Method by which

which the landed Gentlemen are to be eased of One Shilling in the Pound Land Tax?

The honourable Gentleman has been called, and once had the Vanity to call himself the Father of the Sinking Fund; but if *Solomon's* Judgment was right, he who is thus for splitting and dividing the Child can never be deemed to be the true Father. He may claim, and I shall allow him the Honour of being the Father of two other Children lately brought forth in this Nation, a Standing Army and an Excise; but as for the Sinking Fund, he seems now to renounce all Pretences of being the Father thereof. I shall not now enter farther into the Merits of the Motion that the honourable Gentleman has been pleased to make, because I hope a proper Time will be allow'd for Gentlemen to consider of a Question of so great Consequence, and therefore I shall conclude with a Motion for the Chairman to leave the Chair.

Here Mr. Chancellor of the Exchequer 'rose up again and reply'd :

S I R,

AS for the Gentleman's saying, that I had once the Vanity of calling myself the Father of the Sinking Fund, I must say, that whether I was vain of being thought so or no, I remember a Time when the establishing that Fund was treated as a monstrous Project, and then I was obliged to father it; but no sooner was it found out to be a good and a right Thing, and a Project that was both feasible and agreeable to the Interest of this Nation, but other Gentlemen endeavoured to rob the real Father, whoever he was, of the Glory of being the Father of that Child. As for the other monstrous Project so much talk'd of, which some Gentlemen now endeavour to shew in so terrible a Light, I doubt not but that in a little Time it will appear in a quite different Shape to the impartial and unprejudiced Part of the Nation. Let it be what it will, I am resolved to propose it; and if I have but a very little Time, I shall lay it before you for your Consideration: I have no Doubt but that upon a thorough Examination, it will be found to be for the general Interest of the Nation, and for the Advantage of every fair Trader in particular; and this I am so much convinced of, that I believe I may live to have it told me, that I was not the Father of it, but that
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other People had thought of it before me. I never as yet inclined to do that which I thought was ill ; I am afraid of doing so ; but I never shall be afraid of doing well ; I never shall be afraid of doing Good, either to my Country, or to private Men, so far as is consistent with the Interest of my Country. As for the Sums which have been taken from the Sinking Fund, and added to the Civil List, they were not taken from it by me, they were taken from it by the Authority of this House ; I was only one of those who consented to it ; and particularly as to the Sum which was taken from the Sinking Fund upon the Demise of the late King, and given to the Civil List, the honourable Gentleman who sits near me, agreed to it as well as I did ; both of us did agree to it, but our Motives for agreeing, were perhaps very different.

The Sinking Fund was established for the Payment of the Debts of the Nation, but still it was left subject to the Disposal of Parliament ; if upon any Occasion it shall appear that a Part of it may be more properly applied to some other Use, the Legislature has certainly a Power to apply it in that Manner which they shall judge to be most for the publick Good, and for the Interest of the Nation in general. This is the proper Question now under our Consideration ; we are now to determine, whether the Sum of 500,000 *l.* shall be apply'd this Year towards the Ease of the Landed Interest, where it is very much wanted, where it is absolutely necessary to give some Relief ; or if the whole shall be this Year applied towards the Payment of the publick Creditors who stand in no need of such Payment, who do not so much as wish or desire it. This is the plain State of the Question ; and I could hardly have expected that this would have flood a Debate.

Sir John Barnard spoke next to the following Purpose.

S. I R,

AS to the Project which the honourable Gentleman on the Floor seems to be afraid of being robb'd of the Glory of, I believe he may be very easy in that Respect ; for whatever he has met with in other Cases, he needs not be under any Apprehensions as to that ; for my Part, I am so far from believing that when it appears in Publick, it will procure either Honour or Glory to the first Projector, whoever he be, that I am firmly convinced

vinced it will turn out to his eternal Shame and Dishonour, and that the more the Project is examin'd, and the Consequences thereof consider'd, the more the Projector will be hated and despised.

But as to the Question now before us, it affords me a most melancholly Consideration ; I own that the Landed Interest, as well as every other Interest, stands very much in need of Relief ; I allow that by what the Gentleman now proposes, the Landed Interest may meet with some immediate Ease ; and I will likewise easily grant, that it may, in our present Circumstances, be agreeable to the Creditors of the Publick ; but while I have the Honour to be a Member of this House, I am not to consider the immediate Ease of the Landed Interest in particular, nor the present Pleasure of the Publick Creditors ; I am to consider the Welfare of the Nation in general, both as to the present, and as to future Times ; and as I am convinced that what is now proposed, will in the long Run be contrary to the Interest of the Nation in general, I therefore must give my Dissent.

In all Affairs which come before this House, we are to have a due Regard to Posterity, we are in Honour and Duty bound to consider the future Happiness of the Nation, as well as the present ; and the Question now before us is, Whether we shall give a present Ease to the Landed Interest of One Shilling in the Pound Land-Tax, by unjustly loading our Posterity with the Payment of 500,000 *l.* and the Interest thereof from this present Year ? Or, Whether we shall continue to pay the One Shilling in the Pound Land-Tax, and thereby free the Nation of a Debt of 500,000 *l.* and ourselves and our Posterity of a new Debt of 20,000 *l.* which must be yearly incurred by this Nation, for the Payment of the Interest upon that Debt, 'till the principal Sum be satisfy'd and paid. This is the Question before us, and every Man who has a Regard to Posterity, or to the future Happiness of his native Country, must easily determine what Side he is to take : This is the Light it ought to be consider'd in ; and whoever considers it in this Light, must conclude that what is proposed, is a robbing of our Posterity of 500,000 *l.* and the growing Interest thereof for the Sake of a trifling present Ease to ourselves. If the Landed Interest, or any Interest, could be relieved by reducing the publick Expence, it would redound to the Glory of him who had the Honour of being

being the Author thereof; but to ease ourselves by loading our Posterity, is a poor temporary Expedient of short-sighted or self-interested Politicians, and the Author of such an Expedient must expect the Curses of Posterity, and can never expect present Thanks from any but such as are as short-sighted or as self-interested as himself.

I hope I shall not now be taxed with affecting Popularity, or with speaking Provincially, or as a Member for the City of London, as I have often been upon other Occasions; for as to the present Question, I consider it entirely in a national View. As a Member of this House, I shall always look upon myself as one of the Representatives of the People of *Great Britain*, and I hope every Gentleman who has the Honour of being a Member of this House, will always do the same. I hope it will never be in the Power of any Man to make the Landed Interest range themselves in Opposition to the Trading Interest of this Nation; but if ever such a wicked Design should take Effect, if the Members of this House should ever be brought to talk and to vote provincially, or as Members for Cities or Boroughs, or Members for Counties; if the former were to join together against the latter, it is easy to determine on which Side the Majority would be. The honourable Gentleman who made the Motion, now seems to aim at the Affectation of Popularity among the Landed Gentlemen of this Kingdom; this I am really surprized at, considering how often he has taxed me and other Gentlemen in this House with the Affectation of Popularity, as a most heinous Crime.

The Creditors of the Publick are, perhaps, at present unwilling to be paid off, because they have a greater Interest for their Money from the Publick, than they can have any where else; this is one Reason, but not the principal Reason for it; for the chief Reason is, the Method and Manner of paying them: If a considerable Part of their Debts were to be paid at once, and a reasonable Notice given to them of such Payments being to be made, they could then make such an Arrangement of their Affairs, as to dispose of their Money to as good an Advantage for themselves, and much more to the Advantage of the Trade of this Nation; but in the present Method of paying them, the Payments are so small, and the Warning so short, that many of them do not well know how to dispose of the small

Sums they receive, and therefore they are unwilling to receive any in that Manner: However, let their Inclinations be how they please, it is certainly the Interest of the Nation to have them all paid off, the sooner it is done, the happier it will be for the Nation, and therefore no Part of what is appropriated to their Payment, ought to be converted to any other Use: Their Unwillingness to receive Payment, is so far from being an Argument against paying them, that on the contrary it shews that they have a better Bargain from the Publick than they can in the same Way have from any other Person, and therefore if it were possible to borrow Money at a lower Interest, if it were possible to add to the Sinking Fund, the Publick ought certainly to do it, in order to pay off those who are now Creditors of the Publick at so high a yearly Interest.

I hope it will be thought that I am sincere in what I say, since I am in every respect talking against my own private Interest; I have a Part of my Estate in Land, otherwise I could not have a Seat in this House; and as a Landholder, I ought, if I consider'd my own private Interest, to be for the reducing of the Land Tax: I have another Part of my Estate in the Publick Funds; and consequently I ought to be as fond as other Men of not being paid off, and of having as high an Interest as I can possibly get from the Publick; and the remaining Part of my Estate I have in Trade, as to which also I speak against my own Interest; for as a Trader I ought to be against the paying off of the Publick Funds, because the Interest of Money will be thereby reduced; and though it may seem a Paradox, yet it is certain, that the higher the Interest of Money is in any Country, the greater Profit the private Trader will always make: In a Country where the Interest of Money is high, the Traders will be but few, the general Stock in Trade will be but small, but every Man who is a Trader must make a great Profit of what Money he has in Trade.

Here Mr. *Danvers* for the Borough of *Bramber* in *Sussex*, stood up in Behalf of the Motion made by the Chancellor of the Exchequer, saying, he was so far from seeing the least Inconvenience in what the honourable Gentleman had proposed, that considering how little Occasion there was for paying off any of the publick Debts, he was surprized at his Modesty in asking
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so little from the Sinking Fund ; had he asked the whole, it would have been but reasonable to have given it him, since it is for the Support of a Government under which we enjoy so many Blessings, That the Landed Gentlemen bore the greatest Share of the late War, by which all those Funds were created, out of which the Plumb-Men of the City of London have made most of their Estates : That the Landed Interest having thus labour'd long under the greatest Distress, they ought to embrace every Opportunity to give it some Relief.

Sir William Wyndham address'd himself next to the Chair.

S I R,

THOUGH I have the Honour to sit in this House as a Knight of a Shire, yet I look on myself as one of the Representatives of the whole Body of the People of England, and therefore I shall never endeavour to find out a Distinction between the Interest of the Landed Gentlemen, and that of the Nation in general ; such Endeavours I know to be vain, and whoever does endeavour it, will soon find himself disappointed in his Design. I know that since last Session of Parliament, it has been most industriously given about in the County which I have the Honour to represent, *O Gentlemen ! The Knight of your Shire was against easing you of One Shilling in the Pound Land-Tax.* Whether this was done with a Design to do me Service or Disservice, I shall not determine ; but if it was done with Design to do me a Disservice, I shall leave those who did it to brag of their Success. For my own Part, I am so conscious that my Behaviour in that Affair last Session of Parliament was right, that were I to plead Merit with my Constituents upon any one Vote I ever gave in this House, it would be upon my Way of voting in that very Affair ; for I shall always be against sacrificing the publick Happiness of the Nation, or the Security of our Constitution, to any such mean and sordid View as that of a little present Ease in the Land Tax, and I hope every Landed Gentleman whom I have the Honour to represent is now and always will be of the same Opinion.

The Sinking Fund is a Fund I have always had the greatest Veneration for ; I look on it as a Sacred Fund appropriated to the relieving the Nation from that Load of Debts and Taxes it now groans under ; I take it to be so absolutely appropriated to that Use, that if upon

any pressing and unlooked-for Emergency, we should be necessarily obliged to borrow a little from it, the same with Interest ought to be repaid by some Tax to be raised within the Year. I have, indeed, been always afraid that some enterprizing Minister might be tempted to seize upon it, or some Part of it, in Time of War ; but I little dreamt of seeing any Attempts made upon it in a Time of the most profound Tranquillity. It is to me a melancholy Consideration to think of the present vast Load of National Debt ; a Debt of no less than 45 Millions Sterling and upwards, and that all contracted since the Revolution ! This must be a melancholy Consideration to every Gentleman that has any Concern for his Country's Happiness ; but if the Motion now made to us shall be agreed to, how dismal will this Consideration be render'd, when we reflect upon the little Appearance that there will then be of this Debt's ever being paid ? Is the publick Expence never to be lessen'd ? Are the People of *England* always to pay the same heavy and grievous Taxes ? Surely, *Sir*, if there is ever a Time to be looked for of easing the People of this Nation, the present is the Time for doing it. But when I reflect upon what was done last Session of Parliament, I am really afraid of proposing any Relief for the poor Manufacturers and Labourers of this Nation ; I do not think we can trust ourselves : The Salt Duty was taken off by this House, as a Tax the most grievous to the Labourer and to the Poor of this Nation, and the Sinking Fund was thereby diminished ; for the Relief of the Poor we did consent to this Inroad on that Sacred Fund ; but that very Tax was again laid on, because some Gentlemen pretend to have found out, that the Landed Gentlemen of *England* were poorer than the Poor. At this Rate the whole of the Sinking Fund may by Degrees be exhausted, and the Poor of the Nation not relieved from any one Tax they now groan under.

Last Year the Salt Duty was laid on for three Years, in lieu of One Shilling in the Pound Land Tax for one Year, and this was pretended to be a Relief to the Landed Interest ; but it was then evidently made appear, that it was no Relief even to any Landed Gentleman in *England*, unless he was a Man of a plentiful Land Estate. And it was then also made appear, that the People of the Nation were to pay above a Million for the 500,000 *l.* then saved in the Pockets of the Landed

Landed Gentlemen. And now this Year the Sum of 500,000*l.* is to be taken from the Sinking Fund in lieu of One Shilling in the Pound Land Tax ; this is likewise pretended to be a Relief, but upon a strict Examination it will be found to be much such another Relief as that of last Year. We are to save this Year in the Pockets of the Landed Gentlemen 500,000*l.* but this Sum must hereafter be paid by the Nation some Time or other : If it be paid next Year, we then pay 520,000*l.* for it ; if not 'till Two Years hence, we pay upwards of 540,000*l.* and if it is not paid 'till Fifteen or Sixteen Years hence, by computing Interest upon Interest, which in such Cases must always be done, the Nation must then pay above a Million for the 500,000*l.* Ease, now pretended to be given to the Landed Gentlemen. This is the least Sum that it will cost the Nation ; but if to this we add what might be saved by the abolishing of some of those Taxes which now lie heavy upon Trade, and which cost the Nation more in levying than the neat Produce ever amounts to, then it will appear, that the Nation must be infinitely a greater Loser by this Ease now pretended to be given to the Landed Interest. Let any Landed Gentleman consider this, and at the same Time let him consider that the Lands of *Great Britain* stand ultimately obliged to pay all the Debts we owe, in Case our present Funds should fail, which they may probably do by the Decay of our Trade, if it continues long under the Difficulties it at present labours under ; let any Landed Gentleman, I say, consider this, and then let him determine whether he and his Posterity owe Thanks to the Gentlemen who now pretend to be so great Friends to the Landed Interest.

What can those Gentlemen say, who are thus for loading Posterity ? Can they imagine that there will ever be a Time of more profound Tranquillity ? Can they imagine that there will ever be a less Occasion for Publick Expence ? Or can they imagine that our Posterity will be in much better Circumstances than we are ? I am sure, if we propose the last, we must shew some more Regard to the Trade of the Nation than has been shewn for some Time past ; we must think of relieving the poor Tradesmen and Manufacturers from the many and various Kinds of Taxes they now groan under ; and we must avoid all Occasions of loading the Publick with the Payment of Interest, by providing within

within the Year for the current Service of the Year : To this the Motion now made is directly contrary ; for the not paying off of an old Debt is the same with contracting a new, and subjects the Nation to the same Expence with respect to the Payment of Interest. But I shall not trouble Gentlemen any farther upon this Subject at present, because I hope we shall have another Day to consider of this Question ; and therefore I shall conclude with the seconding of the Motion for the Chairman's leaving the Chair.

He was answer'd by Mr. Pelham.

S I R,

AS other Gentlemen have their melancholy Considerations, so I have mine ; the most melancholy Consideration I have is, that notwithstanding our having a Government, under which we enjoy our Laws, our Liberties, and our Religion, to the utmost Extent, yet it is absolutely necessary to put the Nation to a very great annual Charge, in order to support that Government against the Foreign Enemies both of our Constitution and Religion, supported and encouraged by our Factions and Divisions at home : This is the Reason that we cannot, by a Saving in the publick Charge, give that Ease to the Landed Interest, which is become absolutely necessary to be given ; and since we cannot, with any Safety to the Constitution, or to the present happy Establishment, give that Ease by a Saving in the publick annual Expence, we must therefore resolve to give it in that Manner which will be least burthensome to the People, and that I take to be the Method which is now proposed to us.

Gentlemen may talk as they please of what was done in last Session of Parliament, but I can say that in all Places where I have since been, I have had the Pleasure of having the universal Thanks of the People, for the Ease then given to the Landed Interest : Whatever Gloss may now be put upon that Affair, yet I know that some Gentlemen who appeared against it, were heard to say at the Time that that Affair was first mention'd, *This is a most damnable Project ! It will please the Country too much, and therefore we must endeavour to render it abortive.* I will, indeed, do the Gentlemen the Justice to believe that they then spoke as they thought ; and they then did what they could to prevent the Success of a Design by which his Majesty's Administration has

has gained the Favour and the Esteem of the Generality of the Landholders in England.

I have as great a Regard for Posterity, and for the future Happiness of the Nation, as any Gentleman in this House; and therefore I shall never be against any Thing that is absolutely necessary for conveying to Posterity the many Blessings we now enjoy under the present happy Establishment. What is now proposed, is not a throwing of any new Load upon Posterity; it is only a disposing of that Money which always has, and still is at the Disposal of Parliament: We have a Right to dispose of it in that Manner which we think most conducive to the general Interest of the Nation, and what is now proposed, is only an exercising of that Right, and thereby granting an Ease to the most oppressed Part of his Majesty's Subjects, at a Time when there is no pressing Demand for applying the Money either to that Use for which it was at first intended, or to any other Use whatever. This is a Question that, in my Opinion, requires no Time to consider of; it is granted by every Gentleman who has spoke in this Debate, that the Creditors of the Publick do not desire to have their Money; and it is likewise granted that the Landed Interest stand in great Need of Relief; it cannot therefore be doubted, but that the Parliament may and ought to apply at least a Part of that which is not so much as wished for by the Publick Creditors, to the Relief of those who are now in so great Distress, especially since no Relief can be given to them by any other Means; for which Reason, I shall be for agreeing with the Motion made by the honourable Gentleman by me.

Mr. W——r observed here with regard to Scotland as follows:

S I R,

It is known, I believe, by every Gentleman in the House, that Scotland pays little or no Part of what is raised for the Use of the Sinking Fund, and for the small Part they do, or ought to contribute towards that Fund, they have already receiv'd an Equivalent; so that by what is now proposed to us, that Part of the Nation is not to contribute a Shilling towards this 500,000*l.* which is to be apply'd for the current Service of the Year: Now, I should be glad to know by what Article of the Union they are to be free from paying

paying any Part of so large a Sum for the current Service of the Year. I find, by some Accounts call'd for, and now lying on our Table, that there has been but a very little paid by the People of that Part of the Island, towards the Support of the Government; and I believe that the little that has been paid, has generally been distributed away among themselves, in Pensions, Rewards, and Gratuities.

Mr. Taylor, for the Borough of *Petersfield* in *Hampshire* was pleased here to take Notice, That there are some People in this Nation, whose Case is such, that the more they owe, the greater Advantage they make, and the richer they grow: These are Bankers. That by the Motion made to the House, one would imagine some Gentlemen took the Case of the Nation to be the same. For his Part, he could not think so, and therefore differ'd from the Motion.

Several other Gentlemen having spoke in this Debate, the Question was put, Whether the Speaker should then leave the Chair? (that being a Sort of previous Question in Committees, and always to be put, if moved for, before any other) it pass'd in the Negative, 245 against 135; after which, the Question was put upon the first Motion, and carry'd without any Division.

It was then moved and resolved without Opposition, That it is the Opinion of this Committee, that towards raising the Supply granted to his Majesty, the Sum of One Shilling in the Pound, and no more, be raised in the Year 1733, upon Lands, Tenements, Hereditaments, Pensions, Offices, and Personal Estates, in that Part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*; and that a proportionable Cess (according to the 9th Article of the Treaty of Union) be laid upon that Part of *Great Britain* called *Scotland*.

These Resolutions of the Committee of Ways and Means were reported to the House on Monday the 26th of February; and the Question being moved, for agreeing with the Committee as to the first Resolution, there ensu'd a new Debate, of the Substance of which the following is an Abstract, viz.

Samuel

Samuel Sandys, Esq;

S I R,

Notwithstanding the long Debate that was in the Committee upon this Resolution, yet I cannot now let it pass without taking Notice of the bad Consequences it may be attended with. The perpetual Method heretofore, of providing for the current Service of the Year, has been to grant annual Supplies to be raised by Taxes which were granted for that Purpose, and consequently were granted only for one Year; at the Expiration of that Year, they were at an End, and none of the Officers of the Crown durst pretend to levy them any longer on the People: It would have been High Treason in any Officer to levy any such Tax after the Expiration of the Year for which it was granted by Parliament. By this Method our Kings have always been under a Necessity of calling Parliaments frequently; if the King wanted a Supply, there was no Tax subsisting by Law, out of which he could get it, and therefore he was obliged to call a Parliament to grant him a new Supply, and to impose a new annual Tax for that Purpose. Of this Nature is the Land-Tax; it has always been one of those Taxes which were granted for the current Service of the Year, and for that Reason has never been granted for more than one Year at a Time. But what are we now about to do? We are going to depart from this laudable Method always observed by our Ancestors; we are going to give up that Tax which we have always in our own Hands, and which we may grant or no, as we see Occasion; and in the Room thereof we are going to substitute a Tax, or at least a Method of providing for the current Service of the Year which we have not in our Power; the Taxes by which the Sinking Fund is raised, being all granted for ever, and may be levy'd on the People without any new Authority from Parliament. By this Method we clearly point out a Method by which some future ambitious Prince may provide for the current Service of the Year, without the Assistance of Parliament; from whence he may judge, that Parliaments are unnecessary, and will certainly lay them aside as soon as he finds them troublesome. By those Taxes granted for the Sinking Fund, which his Officers may levy according to the Laws in Being, he finds himself provided of a Revenue sufficient to support his Government, without

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the Assistance of Parliaments, and therefore he will resolve to govern without them, if they but once begin to thwart any of his Measures.

I know it will be told me, that it would be as illegal and criminal to apply the Revenue of the Sinking Fund to the current Service of the Year without the Authority of Parliament, as it would be to levy Taxes without any such Authority; But there is a very great Difference between the two Cases; in levying a Tax contrary to Law, every Officer employ'd, knows that he acts with a Rope about his Neck, and therefore it would be difficult for the most powerful Prince to get Officers that would be employ'd in the levying such Taxes; whereas in levying those Taxes appropriated to the Sinking Fund, every Under-Officer acts according to Law, there is no Man guilty of any Crime as to the levying of them; there are none guilty but a few of the chief Officers, who agree to or connive at the Misapplication.

Another material Difference there is between those two Cases. The levying of any Tax contrary to Law, gives immediately the Alarm to the whole Nation both poor and rich; every Man thinks he is robb'd of his Property, if he is obliged to pay the most trifling Tax without the Authority of Parliament; and as the whole People in the Nation would on such an Occasion take the Alarm, so it would be easy to stop such a Prince in the Beginning of his tyrannical Career before he could have Time to fix himself in Arbitrary Power. But though an ambitious Prince and his Ministers should misapply the Produce of the Sinking Fund, by converting it to the current Service of the Year, the Body of the People would be no ways alarmed, they would not think themselves any way hurt, because they would find that they were not obliged to pay any Taxes but those which they knew to be due by Law; on the contrary, they would probably be well pleased with the new Sort of Government, because they would find themselves, for some Time at least, free from the Payment of those Taxes which had formerly been annually raised by Parliament; and thus, before the Body of the People could be made sensible of the Tyranny they were under, the Arbitrary Power of the Prince would be established, and the Fetters of Slavery riveted upon the People. I cannot but dread the Consequences of the Resolution now before us, and therefore I could not
let

let slip this Opportunity of again declaring my Dissent to it.

William Shippen, Esq;

[As soon as this Gentleman rose up, Mr. *Danvers* moved for clearing the Galleries of all such as were not Members, which being done accordingly, Mr. *Shippen* went on in Substance as follows.]

S I R,

THERE was no Occasion for so great and solemn a Preparation for what I have to say ; but as I did not take the Liberty to give you any Trouble on Friday last in the Committee, I will now beg Leave to say a few Words to the Question before us.

I have, in many former Debates in this House, heard Parliamentary Faith often mention'd, and much insisted on. Particularly I remember, that last Session of Parliament, when it was proposed that *Scotland* should pay equally with *England*, towards a Duty which was then raised, or rather revived, and apply'd to the current Service of the Year, a certain honourable Gentleman told us, and insisted much upon it, that it was a Breach of Parliamentary Faith. I wonder to see that Gentleman who was last Year so nice an Observer of Parliamentary Faith, now so forward for committing what I take to be a real Breach of Parliamentary Faith.

I remember the Time when the Law which we are now going to break through, was brought into this House ; I remember that the Gentleman who brought it in, introduced it with the greatest Solemnity : He told us, that it was to be looked on as a fundamental Law of the Realm, and that therefore it was to be always had in the greatest Reverence and Esteem ; that no Attempt was ever to be made for encroaching upon or altering it ; that it was a Law which was always to be deemed sacred ; and that the Surpluses or Excesses of the Funds thereby established were always to be religiously preserved, and appropriated to the paying off the Debts of the Nation : He then said, that it was upon the strict and religious Observance of this Law, that the Credit and the future Happiness and Glory of this Nation entirely depended ; and in pursuance of what he said, the Words of the Law were made very plain and express, that all the Excesses and Surpluses there mention'd, should be appropriated to the discharging the Principal and Interest of such National Debts as were

incurred before the 25th of December 1716, and were declared to be National Debts, and not provided for by Parliament, in such Manner as should be directed by any future Act, and to or for no other Use whatever.

These are the Words of that Law, and by these Words it is plain that the Sinking Fund is not absolutely at the Disposal of Parliament; the Parliament may direct what Debts are to be paid off, but the Parliament cannot direct those Surpluses and Excesses to another Use besides that of paying the National Debts before the Year 1716, without repealing that Law; and as all the Publick Creditors have as much a Right to have their Principal paid as their Interest, we certainly cannot divert that Fund which is appropriated for the Payment of their Principal without their Consent, no more than we can divert those Funds which are appropriated towards the Payment of their Interest; it is a Breach of Parliamentary Faith in the one Case as well as in the other. It is to be presumed, that it was upon the Faith of this Law, that so many became soon afterwards Purchasers of our publick Funds, by which we have since been enabled to reduce the Interest payable upon them, and have thereby considerably increased this same Sinking Fund; and can it be said, that Parliamentary Faith is observed towards those Purchasers, if without their Consent that Law be broke through, which was the greatest, perhaps the only Temptation for them to purchase?

I am really surprized to hear Gentlemen argue as they do upon the present Subject; but I remember that the Author of, or at least he who brought in that Law, was a Country Gentleman, and therefore I do not at all wonder to see a Minister of State endeavour to tear down any Monument that was erected by a Country Gentleman; but I would have Gentlemen reflect, that he that pulls down a Monument of Glory, erects thereby to himself a Monument of Infamy. For my Part, I have always been a Country Gentleman in this House; I am afraid, afraid I ought not to say, for I desire to continue always to be a Country Gentleman; and therefore I am for preserving entire and inviolated this Monument of Glory, which was erected by an honest Country Gentleman; and for this Reason I cannot agree with the Committee in the Resolution now before us.

Sir

Sir William Yonge.

S I R,

AS we had the Sentiments of most Gentlemen on the Subject now before us last Friday in the Committee, I was in Hopes that the Resolution would now have been agreed to without any further Debate, but I find it is otherwise. An honourable Gentleman over the Way pretends to be in great Fear, and to dread dangerous Consequences from this Resolution ; but how that or any other Gentlemen can be at present under any such Apprehension, I cannot comprehend ; there cannot be the least Reason, or so much as any Colour of Reason ; for such, as long as the present Royal Family possesses the Throne of these Kingdoms ; it can never be suspected that his present Majesty, or any of his illustrious Family, will ever think Parliaments useless, or make any Attempt for laying them aside ; such a Thing might, indeed, very probably happen, if by a Revolution, a Revolution I say, for I shall never give it the Name of a Restoration, the Pretender to his Majesty's Crown, or any of his Descendents, should get the Possession of the Throne, the Creditors of the Publick might then, indeed, despair of ever having either their Principal or their Interest, they would then be told that none of the publick Debts ought to be paid, because they were all contracted without any legal Authority, and for keeping the rightful Heir from the Crown : Parliamentary Faith would then, indeed, be laughed at, and those Taxes, which are now appropriated and faithfully apply'd to the Payment of the publick Creditors, would then be all at once converted to the Support of Tyranny and Arbitrary Power.

This would certainly be the fatal Consequences of such an unhappy Revolution ; but how invidious is it, so much as to suspect any such Design in his Majesty, or any of his Family who shall succeed to the Crown. Their Title, their Right to the Crown, flows from the Authority of Parliament, and entirely depends upon the Preservation of our present happy Constitution ; how then can it be supposed that they will destroy Parliaments, since by the Destruction of them, they would certainly destroy themselves ? But I find those groundless Jealousies and Fears are pretended not only in this House, but they are industriously spread through all Parts of the Nation ; for I had myself a Letter lately from

from the Corporation I have the Honour to represent, desiring me not to consent to any Extension of the Excise Laws, because our Parliaments would be thereby render'd uselefs: This Letter came to me by the Post, but by whom it was wrote I do not know; however, from thence I conclude, that it has been represented to the People in that Country, that if a certain Scheme now upon the Anvil should succeed, Parliaments would be render'd quite uselefs, and would be laid aside. The Vulgar and the Ignorant People may be possessed with such Fears; such Pretences may be made Use of among them, but I little expected to have heard any such Arguments made Use of in this House.

I am, indeed, surprized to hear it so much as insinuated that the present Resolution is any Breach of Parliamentary Faith, or that the publick Creditors have a Right to demand that no Part of the Sinking Fund can be apply'd to any Thing but to their Payment. The Case of the Sinking Fund is very different from those Taxes which are appropriated towards the Payment of their Interest: It was upon the Faith of this last Appropriation, that they lent their Money, and therefore they cannot be diverted to any other Use without their Consent; but the Sinking Fund was established long after, there was no Money lent to the Publick by any Man upon the Faith of that Fund; and therefore it is entirely at the Disposal of Parliament; the Legislature may convert it to any Use they please, without the Consent of any Man, or of any Body of Men; as to the Disposal thereof, we are under no Restraint but that of the Publick Good; and as I am convinced that what is proposed by this Resolution is the best Thing we can do for the publick Good, therefore I shall be for agreeing with our Committee.

William Pulteney, Esq;

S I R,

THE Fears which my honourable Friend has expressed, are most just and reasonable, however groundlefs they may at present appear to the Gentleman who spoke last. His present Majesty is known to us, we know that all his Designs are just and honourable, and we know that he will not allow himself to be misled by any guilty Minister; he is too good to think of trampling upon the Rights and Liberties of the Subject, for the Sake of protesting any high Criminal whatever.

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But we cannot certainly know what is to happen hereafter ; we cannot depend on the Dispositions, the Humours, or the Designs of all the Princes, even of the present Royal Family, that may in Course succeed to one another. Who knows but a Prince not yet born, may arise, even of the present Royal Family, who finding himself possessed of a Revenue which he may raise by Virtue of the Laws in Being, and which he knows to be sufficient for the Support of his Government without any Assistance from Parliament, may from thence conclude, that Parliaments are useless to him, and therefore resolve to lay them aside. The present Royal Family has as good a Right to the Crown, as ever any Family had that sway'd the Scepter of this Kingdom ; their Right to the Crown no more depends upon Parliaments, than the Right of any former Royal Family ever did ; and yet we know that some of our former Kings have had Views of overturning the Rights and the Liberties of the People. The only Barrier against such Designs, is to take all proper Care that it shall never be in any future Prince's Power : This is what has hitherto preserved our Liberties, and this is our only Security in Time to come.

The honourable Gentleman has, I do not know how, lugged in the Pretender to this Debate ; I am sure the mentioning of that Bugbear was as foreign to the Subject in hand, as it ever can be to any Debate that can happen in this House ; but is the Pretender the only Person we have to fear ? No, there is no Prince in Europe from whom we have less to fear than from him ; he has so little Power or Interest in this Nation, that our Liberties can never be in any Danger from him, and I hope the present Royal Family will always be so fully possessed of the Hearts and Affections of the People, that it never will be in the Pretender's Power to do us any Harm. The only Hopes he can ever have, must arise from the arbitrary Designs of the Prince upon the Throne, and therefore we ought carefully to avoid all those Measures which may give a Foundation for the forming of any such Designs in any Time to come.

Sir William Wyndham.

S I R,

I Did not design to have given the House any Trouble this Day ; but such Insinuations are thrown out, and so often repeated by some Gentlemen in this House, as I cannot

cannot with Patience sit still and hear. I generally observe, that when proper Answers cannot be made to what Gentlemen advance, then *Jacobitism* is brought in; and because some Gentlemen in this House take the Liberty to differ from others, therefore they must be taxed with the terrible Name of *Jacobite*; I wish that Gentlemen would resolve for the future always to give us Arguments, and not Names, for the Support of their Opinions. For my own Part, I will leave it to the whole World to judge who most pursue the Principles of the Revolution, They who are for supporting the Government in that Way which is most easy and least burthensome to the People, or they who are for doing it in a Way which is so odious and so burthensome to the whole Nation.

Whenever there are any just Fears of the Pretender; if there ever shall happen to be any real Designs in his Favour, which I hope never will, then I shall do as I always have done, I shall shew by my Actions what my Principles are. I believe I stand in the Opinion of Mankind acquit of any Imputation of *Jacobitism*, as much as the honourable Gentleman over the Way, or any Gentleman in this House; and therefore, I as much despise the Imputation, as I despise being always a servile Assentator to every Thing proposed by the Administration. But as such Insinuations have been often thrown out against me in this House, I must let Gentlemen know that it is a Treatment which I think inconsistent with the Dignity of this House, and a Treatment which I will no longer bear with.

William Shippen, Esq;

SIR,

I Believe I have no Occasion to make any Professions of what I am; but I must take Notice, that in private Life, any voluntary Securities that may be granted to Creditors after the borrowing of their Money, are as binding upon the Granter, and ought to be as religiously observed, as those that were granted at the Time the Money was lent: This is certainly the Case as to all private Affairs, and I cannot think but that the Case is the same with respect to publick Transactions. I do not know but that some Gentlemen in this House may be offended at my so much as mentioning the Reign of King James II. yet upon the present Occasion I must mention it; and the Observation I shall make is, that

that unfortunate Prince took many wrong Steps, ran himself into great Difficulties, and at last lost his Crown, by following too implicitly the wicked Councils of a bad Minister, and that very Minister most basely betray'd, and at last deserted his Master. One of the greatest Misfortunes of that Prince, and that which contributed most to his Overthrow, was, his keeping up a Standing Army in Time of Peace; he did it, indeed, without the Consent of Parliament, but he did it at his own Expence, he did it without laying any Charge upon his People; and he did it without Consent of Parliament, because he could not find a Parliament mercenary and corrupt enough to give their Consent.

Besides the Gentlemen above mention'd, Mr. Chancellor of the Exchequer, and the Lord *Tyrconnel* spoke a little in Favour of the Resolution; and *Thomas Wyndham*, Esq; spoke against it. And at last the Question being put, it was carry'd to agree with the Committee without any Division: After which, the Question was put upon the second Resolution, and agreed to without Opposition.

Next Day, viz. Feb. 27, the Order of the Day for the Call of the House was read, and a Motion being made for adjourning it 'till that Day Fortnight, Sir *John Rushout* stood up, and spoke in Substance as follows:

S I R,

I do not rise up to oppose putting off the Call of the House 'till this Day Fortnight, that I shall easily agree with; but there being, as I imagine, a certain Scheme or Project to be brought into this House, which seems to be of very great Consequence to the whole Nation, I wish that the Call of the House may be appointed to be about the Time that that Scheme is to be laid before us. For my Part, I know nothing about it, I cannot tell when we are to have the Pleasure of seeing that famous Project; but I wish that some Gentleman who knows more of it than I do, would get up and fix a Day when he thinks it will be brought in, and then move that the Call of the House may be put off 'till that Day, or till some Day about that Time.

We have been long in Expectation of seeing this glorious Scheme which is to render us all compleatly happy; we have waited for it with Impatience ever since

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the Beginning of this Session of Parliament ; we imagined, as had been insinuated to us in the preceding Session, that it was to come in lieu of the One Shilling in the Pound Land Tax, as a Supply for the current Service of the Year ; but in this we are disappointed, that Measure has, it seems, been alter'd, and we have seen this Ease as to the Land Tax otherways supply'd. I do not know whether the Scheme itself has lately met with any Alterations or Amendments, but I hope, if it be to be laid before us this Session, that it will not be put off 'till towards the End of the Session, when Gentlemen are tired out with Attendance, and obliged to return home to mind their own private Affairs. If a Scheme of that Consequence be at all brought in, it certainly ought to be brought in when the House is full, that it may be consider'd and approv'd or rejected by as many Members as can possibly be brought together. As soon as the Time for its being brought in shall be fixed, and the Call of the House accordingly appointed, then I shall take the Liberty to move for Letters to the Sheriffs, as has been often practis'd on the like Occasions.

Mr. Chancellor of the Exchequer.

S. I R,

AS to the Scheme mention'd by the honourable Gentleman who spoke last, it is certain that I have a Scheme, which I intend very soon to lay before you. I am resolv'd very soon to make a Motion for this House to go into a Committee of the whole House on something or another ; I have not, indeed, as yet fully determin'd what my Motion shall be, but I suppose it will be for this House to go into a Committee on the State of the publick Revenue, or on the Frauds committed in the collecting thereof, or on the Frauds committed in some particular Branch or Branches of the Revenue ; it must be, I believe, a Motion to some such Purpose : If the Call of the House be appointed for this Day Fortnight, I believe I shall be fully determin'd between this and that Time, and so be able to move for some such Committee ; the House may then appoint a Day for going into the Committee moved for, that so every Member may have Notice to attend if he pleases.

I do not desire, I never did desire to surprize this House in any Thing, nor had I, thank God, ever any Occasion to use the low Art of taking Advantage of the End of the Session for any Thing I had to propose, or
would

would propose to this House ; but when the House does resolve itself into some such Committee as I now mention, I will then lay before that Committee a Scheme which I have long thought of, which is, I am convinced, for the Good of the Nation, and which, if agreed to, will improve both the Trade of the Nation and the publick Revenue. I never had any Intention to propose it as a Supply for the current Service of the Year ; I was always sensible that no such Thing could be done ; but if it be agreed to, and if upon a Trial it be found to bring in any Addition to the publick Revenue, this House may then dispose of that Increase in the following Session of Parliament as they shall judge proper ; 'till then it cannot be appropriated, because 'till then it cannot be known what the Amount may be. When the Amount of the Increase of the Revenue thereby is once ascertained, that Increase may then be brought in Aid of the One Shilling in the Pound Land Tax, and thereby that Ease may be continu'd to the poor Landholders for Years to come, if so the future Parliaments shall think fit.

As for the Scheme's having receiv'd Alterations and Amendments, I do not know but it may ; I never thought myself so wise as to stand in no Need of Assistance ; on the contrary, I am always ready to receive Advice and Instruction from others, and I shall always be ready to add, to alter, or to amend any Thing I have thought of, by the Advice, and upon the Information of those who are conversant in such Affairs. As to the Scheme now talk'd of, I have not only examin'd it by myself as thoroughly as I could, but I have taken from others all the Assistance and Advice I could get ; and in all my Enquiries in Relation thereto, I have chose to consult with those who, I knew, had a perfect Knowledge of such Affairs, and had no particular Interest in View, nor any private End to serve ; from those who may have By-Ends of their own, I never can expect impartial Counsel, and therefore I have in this, as well as every other Affair, thought it ridiculous to ask their Advice. Such as it is, I shall be soon ready to lay it before you ; then I shall give you all the Information I have had in the Affair, and will be most ready to hear and receive all the Information or Instruction that can be given by any Gentleman in this House.

It is certain that there are daily very great Frauds committed in the collecting of the publick Revenue,

H h 2

and

and if any Way can be fallen on to prevent those Frauds, and to enable the Publick to receive what it is now justly and legally entitled to, such a Project ought to be embrac'd, and the Author thereof, whoever he may be, would deserve the Thanks of his Country; for it would not only be a great Advantage to the publick Revenue, but to every honest and fair Trader in the Nation; because that wherever a Tax is laid on, and not collected regularly and duly from every Man subject thereto, it is really making the fair Trader pay to the Publick, what the fraudulent Trader turns into his own private Pocket, and thereby the Smuggler is enabled to undersell the fair Trader in every Commodity he deals in; by which all the fair Traders in the Nation must be at last ruin'd and undone.

Sir William Wyndham.

S I R,

I Have not the Honour of being let into the Secret of this extraordinary Scheme, I do not as yet know what it is; but by all that I could ever yet hear of it, I believe, when it is laid before us, the Question thereon will appear to be, Whether we shall sacrifice the Constitution to the preventing of Frauds in the Revenue? This I take to be a very material Question, and therefore I think it is absolutely necessary to have a full House; for which Reason, I shall be not only for Letters to the Sheriffs, but also I hope that every Gentleman in this House will write to such of his Friends in the Country as are Members, and intreat them to give Attendance on that important Day,

Sir John Barnard.

S I R,

WHEN the honourable Gentleman is prepared to lay his Scheme before us, I hope he will move for some general Committee; if he does, I shall not give the House any Trouble; but if he moves for a Committee to consider the Frauds in any particular Branch of the Revenue, I shall take the Liberty to oppose it, because there are Frauds in every Branch of the Revenue; and perhaps I shall be able to shew, that there are as many Frauds in other Branches of the Revenue, as there are in those which the honourable Gentleman has a Mind now to take a particular Notice of. I must think that the attaching our Enquiries at present

to the Frauds committed in any particular Branch, is like singling out a Deer from the Flock, in order to be hunted down; she is to be the first Sacrifice, but the whole Flock are to be hunted down at last: This, I believe, is the Case, and if I have been rightly informed, this Scheme in its first Conception, was for a general Alteration of the Method of collecting the publick Revenue: It was for a General Excise; but that, it seems, was afterwards thought too much at once, and therefore we are now, it seems, to single out only one or two Branches, in order that they may be first hunted down; but the very same Reason that may prevail with us to subject any one Branch of the Revenue to the Laws of Excise, may afterwards prevail with us to subject every Branch to those Arbitrary Laws; and as such Laws are, in my Opinion, absolutely inconsistent with Liberty, therefore I must think that the Question upon his Scheme, even alter'd as it seems it is, will be, Whether we shall endeavour to prevent Frauds in the collecting of the Publick Revenues, at the Expence of the Liberties of the People?

For my own Part, I never was guilty of any Fraud; I put it to any Man, be he who he will, to accuse me of so much as the Appearance of a Fraud in any Trade I was ever concern'd in; I am resolv'd never to be guilty of any Fraud. It is very true, that these Frauds are a very great Prejudice to all fair Traders, and therefore I speak against my own Interest, when I speak against any Method that may tend towards preventing of Frauds; but I shall never put my private Interest in Ballance with the Interest or Happiness of the Nation: I had rather beg my Bread from Door to Door, and see my Country flourish, than be the greatest Subject in the Nation, and see the Trade of my Country decaying, and the People enslav'd and oppress'd.

Henry Pelham, Esq;

S I R,

I Wish this Scheme, be what it will, were laid before us; for 'till it is, I believe we shall every Day be falling into some Debate or other about it, without knowing any Thing of it. I do not know where the honourable Gentleman who spoke last got his Information; but as I have had the Honour to converse sometimes with those who always knew most of this Scheme, I can assure him that there never was any such Thing intended.

intended as a General Excise, nor was there ever any Design of making a general Alteration in the Method of collecting the Publick Revenue. But I shall not at present say any Thing further upon the Subject, because I think it a little odd to enter into Debates about what we know nothing of.

Mr. Alderman *Perry* likewise spoke in Vindication of the Merchants dealing in the Wine and Tobacco Trade. After which the Question was put, and the Call of the House was put off 'till that Day Fortnight; and it was order'd, 'That no Member of the House should presume to go out of Town without Leave of the House; that no Leave should be asked for any Member to go out of Town, but between the Hours of One and Two; and that Mr. Speaker should write Circular Letters to the Sheriffs and Stewards of the several Counties of Great Britain, requiring the Attendance of the Members on that Day Fortnight; and that the House would proceed with the utmost Severity against such Members as should not then attend the Service of the House.' Then

Mr. *Sandys*, moved for the House to resolve, that such Members of that House, who should absent themselves without Leave of the House, should be reputed Deserters of their Trust, and Neglecters of that Duty they owed to that House and their Country. Whereupon several Members got up, some of whom, as may be presumed, to have seconded this Motion, but *Horatio Walpole, Esq;* was pointed to, who said, That he was against the Motion the honourable Gentleman had been pleased to make, as being a very extraordinary one, and such as there was then no Occasion for, and therefore he moved for the Order of the Day, which Motion was immediately seconded.

Sir *John Rushout* said, That the Motion his Friend had been pleased to make, was perhaps a little extraordinary, but it was upon a very extraordinary Occasion, and not without Precedent, and therefore he would be for it.

Sir *William Yonge* said, That an honourable Gentleman had said, that every one of them ought to write to their Friends in the Country, and desire them to give Attendance; but if the Motion then made should be agreed to, they might, in his Opinion, save themselves the Trouble, for that no Member then in the Country, would

would think he had one Friend in the House, if any such Resolution should be made against him.

Mr. Sandys said, That what he had moved for, was so far from being without Precedent, that there was a Precedent for it but very lately, and that was in the famous Case of Dr. *Sacheverel*; when that Affair was before the House, there was such a Resolution made, and from thence it was that he took the very Words of the Motion he had then made.

Then the Question was put upon the Motion for the Order of the Day, because of its having been seconded before the other Motion was seconded, and that being carry'd in the Affirmative, the other was in Course dropp'd.

On the 23d of *February*, the Pension Bill was read the first Time in the House of Lords, and after some Debate, a Motion was made rejecting it, upon which it was moved to order, that the same should be read a 2d Time on the Tuesday following, and after further Debate, the Question was put, Whether the said Bill should be read a 2d Time? Which was resolv'd in the Negative by 68 to 25; whereupon a Protest was enter'd, for the Reasons enter'd in the Journals of that House the 21st of *March* 1729, and the 2d of *March* 1730, and this last Protest was signed by the noble Lords following, viz.

Scarsdale,
Northampton,
Foley,
Strafford,
Aylesford,

Coventry,
Berkshire,
Gower,
Oxford and
Mortimer,

Litchfield,
Bruce,
Bridgewater,
Bathurst,
Montjoy.

On the 4th of *April* there was laid before the House of Lords, according to their Desire, the following State, viz.

A STATE

A STATE of the National Debt, provided or unprovided for by Parliament, as it stood *December 31, 1731*, and *December 31, 1732*. Together with an Account of the Produce of the Sinking Fund in that Year, and to the Payment of what Debts contracted before *December 25, 1716*, the said Fund has been apply'd.

Exchequer.

<i>Exchequer.</i>		Amount of the Na- tional Debt upon Dec. 31, 1731.		Incr. be- tween Dec. 31, 1731, & Dec. 31, 1732.	Paid off within the said Time.		Amount of the Na- tional Debt, Dec. 31, 1732.		
		l.	s. d.	l.		l.	s. d.	l.	s. d.
Annuities for long Terms, being the Remainder of the Original Sum contributed and unsubscribed to the South-Sea Company,		1,837,033	0 9			1,837,033	0 9		
		108,100							
Annuities for Lives, with Benefit of Survivorship, being the Original Sum contributed,		134,282	14 8½		2,785 6 8	131,499	8 0½		
		161,101	6 8			161,108	6 8		
Disse on Lottery 1710,		109,290				109,290			

Bank of England.On their original Fund at 6*l.* per Cent.

For cancelling the Exchequer Bills,

3 Geo. I.

Purchased of the South-Sea Company,

Annuities at 4*l.* per Cent. charged onthe Duty on Coals, since *Lady-day*,

1719.

Ditto charged on the Surplus of the

Funds for the Lottery 1714,

Ditto for Lottery 1731.

South-Sea Company.

On their Capital Stock and Annuities,

per Act 9 Geo. I.

	<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>l.</i>	<i>s.</i>	<i>d.</i>
	1,600,000						1,600,000		
	1,500,000						1,500,000		
	4,000,000						4,000,000		
	1,750,000						1,750,000		
	1,250,000						1,250,000		
	800,000						800,000		
				1,000,000			30,302,203	5	6½
Total	48,985,438	12	9½	1,042,783	6	8	48,442,655	6	1½

The Exchequer to Cash of the Sinking Fund, on December 31, 1731, is
To the Produce of the Sinking Fund between Dec. 31, 1731, and Dec. 31, 1732, viz.

	l.	s.	d.
Of the Aggregate Fund,	622,876	16	$\frac{1}{2}$
The General Fund	315,731	0	1
The South-Sea Company's Fund	148,725	4	10 $\frac{1}{2}$
Tax on Papists	196	19	2 $\frac{1}{2}$

Per Contra.

By Money issued towards discharging the National Debt between Dec. 31, 1731, and Dec. 31, 1732.
Before Dec. 25, 1716. By Cash paid the South-Sea Company in Discharge of so much of their Capital Stock
Balance Dec. 31, 1730,

Enlarged, April 4, 1733.

Alexander Clocked.

Dr.
l. s. d.
364,799 16 $\frac{1}{4}$

1,097,530 0 2 $\frac{1}{2}$
1,462,329 16 3

Cr.

l. s. d.
1,600,000
462,329 1 3
1,462,329 16 3

Since we're oblig'd, for want of Room, to postpone the ensuing Debates of Parliament, on the famous Bill for an Inland Duty, &c. to the next Quarter, the said Bill being propos'd to prevent the Frauds and Abuses committed in the Customs, it may not be improper to give an Abstract of the Report of the Committee appointed to inspect into the Frauds and Abuses above mention'd, made by Sir John Cope the 7th of June last, to this Effect.

THE Committee, to avoid Confusion in their Enquiry, have examin'd the Frauds committed in each Branch of the Revenue singly; and observing that their Information related chiefly to Frauds in the Tobacco Trade, they proceeded in that Branch first. They take Notice of the great Care and Caution that is used by the Commissioners in appointing Numbers of Officers over a Ship from her Arrival in the River till she is brought to the Keys to unlade her Freight, to prevent any Tobacco being landed without paying or securing the Duties. Notwithstanding which they have full Proof of many notorious Frauds.

The setting down in the Land-waiter's Books less Weight than the Hogsheds imported do really weigh, is one of the principal Complaints made by the Merchants at *Bristol* in 1721; and was this Year made by the Planters in *Virginia*, by their Agent Sir John Randolph, who informed the Committee, that the usual Weights in *Virginia* were and are from 800 to 950 Pounds, that the utmost Allowance for Waste in the Voyage was 8 lb. on every hundred Weight, but believes it cannot be so much, having an Account of his own from *Bristol*, where he finds a Waste of no more than 15 Pounds in a Hogshed of 800 Weight.

The Hogsheds imported from *Maryland*, weigh at a Medium, 700 lb. Weight.

In June 1727, John Midford imported, in the *Wm and Jane*, from *Virginia*, 301 Hogsheds, the Weight of which, as taken by the Land-waiters, was 199,257 lb. wt.

The true Weights ————— 230,150 lb. wt.
Difference, (the Duty of which lost) 30,893 lb. wt.

In 1729, the Weights of 17 Hogsheds ————
as taken in the Land-waiters Book, amount only to ————— 8961 lb. wt.

The real Weights of the same, as by the Account of Sales, were ————— 12334 lb. wt.

Difference

Difference, (the Duty of which was } 3373 lb. wt.
lost)

The Medium of 355 Hogsheads imported in the same Ship, of which these 17 were part, being no more than 521 lb. wt. there is Reason to believe the like Fraud was committed in the whole Parcel.

An Account of Sales deliver'd to a Planter in *Virginia*, shews, that four Hogsheads were charged in the Land-waiters Books 483 lb. wt. less than the real Wts.

Mr. *Randolph* acquainted the Committee with a Fraud, since 1726, by short Weights at Entry of 485 Hogsheads of *Maryland Tobacco*, whereby the Merchant got 30 Hogsheads clear of Duty.

Mr. *Philpot* has made another Discovery of the same Nature, and by comparing the Land-waiters Books, we have room to suspect many more of like Sort.

Some of the Frauds at Exportation, in order to obtain Debentures which the Exporters are not legally entitled to, are by shipping corrupt or damaged Tobacco, mixed with Dirt, Rubbish and Sand; and by shipping Stalks alone, stripped from the Leaf, which by Law are to receive no Drawback.

In the Year 1704, or 1705, *Tho. Parr*, Esq; of *Datchet*, had consigned to his Care in *Holland*, 8 or 900 Hogsheads of Roll Tobacco, in each of which Rolls was contained a Piece of Lead of 2 or 3 Inches thick, and 6 or 7 Inches long, for which the Merchants had obtained a Drawback for the Duty as Tobacco.

But one of the greatest Frauds on Exportation is, by the unfair Traders endorssing on the Back of their Coquets greater Weights than the Hogsheads contained, and so discharging Bonds for more than the real Exportation; whereby large Quantities of Tobacco will remain in their Hands without Payment of Duty.

May 12, 1733, an Entry was made by one *Cox* of 8084 lb. wt. of Roll Tobacco for Exportation; but, on Examination there was no more than 6825 lb. wt. upon which the whole Quantity was seized.

In September 1732, Mr. *Peele* entered in the *James* and *Mary*, from *Maryland*, 310 Hogsheads of Tobacco, for which he paid the Duty in ready Money; near 200 Hogsheads of which he sold in October following, to Mr. *Hyam* for Exportation, and they were immediately exported. It appears on these 200 Hogsheads, that the Duties paid at Importation, according to the Weights in the Land-waiters Books, were short of the real Wts by

by 13292 *lb.* It appears on Exportation, that the Certificates Tworn to by *William Cameron* for *Mr. Peele*, to obtain Debentures, was to discharge Bonds given on a former Entry for *Virginia Tobacco*, imported in *November 1731*. That the Endorsement on the Coquet, made by *Mr. Peele*, in order to receive the Debentures, exceeded the real Weights actually shipped, by 8288 *lb.* so that the Total of the Pounds Weight intended to be gained by this Fraud, amounts to 21580 *lb.*

Another Fraud the Committee take Notice of, is, that of Relanding, after having Debentures for the Drawbacks; which Tobacco so relanded is sold for home Consumption under the Market-Price, in Prejudice to the fair Trader. Of this they give several Instances, particularly in the Isles of *Guernsey*, *Jersey*, and *Man*. *Mr. Howel*, who lived many Years in *Flanders*, has frequently observed several Quantities of Tobacco imported into *Ostend* and *Dunkirk*, and there repacked in Bales of 100 *lb.* wt. each, and then again put on Board *English* and *Irish* Vessels, that waited there for that Purpose, and were employed in relanding it in *England* and *Ireland*. About 12 Months ago nine *British* Vessels were taking in Cargoes of Tobacco for this Purpose at *Dunkirk*.

The Vessels employ'd thus in the Smugling Trade, take out Clearances for the Ports of *Spain*, *Portugal*, or some other foreign Country, in order to produce, in Case they are met with on the Coast of *Britain* or *Ireland*.

There have likewise been considerable Quantities of Tobacco run without paying of Duty; of this Kind have been seized and condemned, 958,745 *lb.* wt. since *Christmas 1723*, including the Tobacco relanded after Exportation.

Another considerable Fraud, discover'd in 1728, was, the stealing and pilfering Tobacco from Ships in the River; this Fraud was called Socking; and was carried on for several Years by Tidesmen on Board, Porters on the Keys, Mates, Boatswains and Crews, Lightermen, Coopers, and others in the Merchants-Service: On this Discovery, 2 Tidesmen, 1 Cooper, and 7 Lightermen were convicted, and order'd for Transportation; 1 Boatswain, 1 Tidesman, and 1 Porter were whipp'd on the Keys; and about 150 Tidesmen and inferior Officers, were dismissed. 20 Tons of Tobacco were seized in Houses by the River-side; of which 22,741 *lb.* wt. was condemn-

condemned and forfeited. This Tobacco was sold by the Receivers to several considerable Dealers in Town.

The great Temptations to commit these Frauds, both at Importation and Exportation, arises from securing the Duties by bonding, and discharging these Bonds at Exportation. The Abuse is, the discharging Old Bonds by new Importations, contrary to Law and Oath; by which the Merchant gets into his Hands a considerable Sum of Money to the Hazard of the Revenue.

Another Loss to the Nation in general, from this Method of Bonding, arises from the Temptation Factors are under to export or sell for Exportation, the Tobacco in their Care, without Regard to Price, and merely to discharge their Bonds; whereby foreign Markets are overloaded, the fair Trader underfold, and the Planter injur'd. in his Sale, and sometimes brought into Debt, while the Factor receives his full Commission even for the Duty bonded and drawn back, by such hasty Exportations. This appears by the Memorial of the Council in Virginia sent to the Board of Trade in 1713, and confirmed by Mr. Hyam, and Sir J. Randolph.

The Method of discharging old Bonds by new Importations, is likewise very injurious to the Sureties bound with the Merchants; since by this Means they continue subject to the Debt, long after the Tobacco, for the Duties of which they were bound, has been either exported, or sold for Home Consumption; which has been the Case of almost all who were Security for such Merchants as died, or broke indebted to the Crown, many of whom have been undone thereby.

The Frauds and Abuses in Tea and Brandy are grown to so great a Height, and carried on in such an outrageous Manner, not only on the Coast, but even in London, by Gangs of armed Men, as seems to call for the Assistance of the Legislature to put a Stop to their Progress. The Number of Custom-house Officers who have been beaten, abused, and wounded since Christmas 1723, are no less than 250, and 6 murder'd; no less than 251,320 lb. wt. of Tea and 652,924 Gallons of Brandy seized and condemned, and upwards of 2000 Persons prosecuted. Besides which 229 Boats and other Vessels have been condemned, 185 of which have been burnt, and the Remainder employed in the Service the Crown.

Gabriel Tomkins, a noted Smugler now in the County Goal of Surrey for returning from Transportation, deliver'd in a List of several Grocers and Shop-keepers in London,

London, Westminster, and Southwark, with whom he dealt about 3 Years ago for 15 or 20,000 *lb. wt.* of Tea and Coffee in a Year.

In the next Place the Committee enter'd upon the Frauds and Abuses in the Customs on Wine, and find that no more had been condemned since *Christmas 1723*, than 2208 Hogsheads, altho' the Commissioners of the Customs in 1725 had received Informations upon Oath, that there had been run in *Hampshire, Dorsetshire and Devonshire* from 1723 to 1725, 4738 Hogsheads; and on Enquiry 30 Officers were dismiss'd, and Informations enter'd against 400 Persons, 38 were committed to Gaol, 118 admitted Evidence, and 45 compounded for their Offences.

In the Appendix to the Report, the Committee set forth at large their Examinations of several Persons, who were either concerned in, or well informed of many notorious Frauds and Abuses in the Customs. Among the rest is that of *Joseph Shabell*, formerly Warehouse-keeper and Porter to *Sir Randolph Knipe*. That during the Informant's 12 Years Employment under *Sir Randolph*, above an Hundred Ships had arrived from *Russia, Riga, and Petersburg* with Hemp and Flax on *Sir Randolph's* Account; in some of which the Land-waiters had allowed him 20 Tons more than was enter'd, who were always paid accordingly.

Mr. Gilbert Higginson, who has been in the Tobacco Trade about 20 Years, on his Examination, inform'd the Committee, that he knows very great Frauds and Abuses have been committed, both in the Importations and Exportations of Tobacco; but chiefly occasion'd between certain Merchants and certain Officers; and he really believ'd from particular Informations, some Persons have discharged their Bonds with about 2 thirds of the Number of Hogsheads they imported; and that the Revenue hath suffered by such Practices the best Part of 100,000 *per Annum* in this Port of *London*, for some Years last past; besides a great deal of Prejudice done to the fair Traders.

This Report and Appendix take up 103 Pages in Folio, yet the Committee observe, that the Shortness of the Session would not allow them to make it so complete as they might otherwise have done, and that the Number and Intricacy of the various Frauds render a thorough Disquisition almost impracticable.

F I N I S.

THE *Historical Register.*

NUMBER LXXII.

GREAT BRITAIN,

Continuation of the Proceedings and Debates of the last Session of Parliament.

ON the 6th of *March*, the Lords having, according to Order, resolv'd themselves into a Committee of the whole House, upon the Bill for punishing Mutiny and Desertion, took into Consideration the Number of Forces held up in the Kingdom; Debates ran higher than have been known in that House on the like Occasion, and a great Variety of Political Learning display'd in several Speeches on the important Subject: But since the Question has been already discuss'd in ample Manner, by the honourable House of Commons, we shall confine ourselves to a bare Recital of Proceedings.

The Motion for a Reduction of the Number of regular Forces to 12000 Men, including Invalides, &c. was made by the Earl of *O—d*, who was seconded by the Earl of *W—sea*; both handsomely expatiated on the dangerous Consequences of keeping up so great a Number of Forces in Time of Peace.

The principal Speakers were:

Against a Reduction.

Earl of *C—d*,
Duke of *N—le*,
Duke of *A—le*,
Earl of *I—a*,

For a Reduction.

Marquess of *T—le*,
Earl of *S—d*,
Lord *B—ft*,
Lord *G—t*,
Earl of *B—l*.

K k

Earl

Earl of B——l.

My Lords,

I Have often heard the present Argument debated in Parliament; I was one of those who were the Cause of the Army's being reduced so low after the Peace of *Ryswick*, perhaps I repented of what I did at that Time, because of the Turn that the Affairs of *Europe* took soon after: But I am fully convinced, I never shall have Occasion to repent of being for the Reduction now proposed. For my Part, my Lords, I cannot but say, that the Question now before us, puts me in Mind of what happen'd to a Farm House of mine in the Country: The Wall of the House on one Side had failed, and the House had sunk a little; yet it might have stood for many Years, without any Necessity of pulling it quite down in order to be rebuilt; for which Reason, I believe, I should have then contented myself with repairing it a little, and adding some Buttresses to that Wall which had fail'd; but some Workmen persuaded me, that they could raise it up, and repair the Wall without pulling the House down, and I being prevail'd on, to work they went; but in planting Posts and other Engines to raise up that Side which had sunk, I do not know how, whether by Design, or by the Unskilfulness of the Workmen, they raised the House so high on that Side, that they tumbled it quite over.

At last, the Question was put upon the Earl of O——d's Motion for the Instruction to the Committee, which upon a Division was carry'd in the Negative.

And on the Thursday next, the Bill was pass'd, whereupon the following Protest was enter'd, viz.

Die Jovis, 8vo Martii, 1732.

Hodie tertia vice lecta est Billa.

Entitled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quar-
ters.*

After Debate,

The Question was put, Whether the Bill shall pass?
It was resolved in the Affirmative.

Dissentient

For the Reasons enter'd on the Journal last Session,
against the Number of Men, then and now to be estab-
lished,

blished, which Reasons we refer to, and think the Circumstances of Time now, do by no Means lessen the Force of them.

*Bruce,
Montjoy,
Bathurst,
Foley,
Berkshire,*

*Strafford,
Litchfield,
Bristol,
Masham,
Gower,*

*Northampton,
Coventry,
Oxford and
Mortimer,*

On the 8th of *March*, a Bill was brought in pursuant to the Resolutions of the House of Commons, taken in *July* last, in Relation to the Affair of the Sugar Colony. Upon which, Sir *John Barnard* opened to the House a Petition of *Richard Partridge*, Agent for the Colony of *Rhode-Island* and *Providence Plantations* in *America*, against the said Bill, and moved for Leave to bring it up, in which he was seconded by Mr. Alderman *Perry*, whereupon a Debate ensu'd, and after several Speeches made on both Sides, the Committee resolv'd that it was their Opinion, That the Act passed in the second Year of his present Majesty (entitled, *An Act for laying a Duty upon Compound Waters or Spirits, and for licensing the Retailers thereof*) had been a Discouragement to the distilling of Spirits from Corn in *Great Britain*, and therefore ought to be repealed; that for the Encouragement of the Exportation of Spirits drawn from Corn in *Great Britain*, a Drawback or Allowance of 6*l.* 8*s.* per Ton, ought to be paid and allow'd on the Exportation thereof; and that the Duties payable upon Brandy and Spirits imported, except from his Majesty's Plantations in *America*, should from and after the 24th of *June* then next, cease and determine, and that in Lieu thereof there should be granted to his Majesty a Duty of five Shillings per Gallon, on all Brandy and Spirits imported from Foreign Ports, except such as shall be of the Growth and Manufacture of his Majesty's Plantations in *America*: Which Resolutions were on the 12th Day of *March* agreed to by the House, and a Bill order'd to be brought in, pursuant to them.

Mr. Chancellor of the Exchequer having on Wednesday the 7th Day of *March*, mov'd, That the House might upon that Day Sev'n-night resolve itself into a Committee of the whole House, to consider of the most proper Methods for the better Security and Improvement of the Duties and Revenues already charged upon

and payable from Tobacco and Wines ; and the same having been order'd accordingly, the House did upon Wednesday the 14th of *March* resolve itself into the said Committee, according to the said Order, the many Accounts, Returns, and other Papers which the House had before call'd for, being first referred to the said Committee, and the Commissioners of the Customs and of the Excise being attending pursuant to an Order of the preceding Day.

The Debate was open'd by Mr. Chancellor of the Exchequer, with the Speech following.

S I R,

AS I had the Honour to move for the House's resolving itself into this Committee, I think it incumbent upon me to open to you what was then intended to be proposed as the Subject of your Consideration. We are now in a Committee for considering of the most proper Methods for the better Security and Improvement of the Duties and Revenues already charged upon, and payable from Tobacco and Wines : This can be done in no Way so proper or effectual, as that of preventing for the future those Frauds by which the publick Revenues have been so much injur'd in Times past. I know, that whoever attempts to remedy Frauds, attempts a Thing that must be very disagreeable to all those who have been guilty of them, or who expect a Benefit by such in Time to come. This, Sir, I am fully sensible of, and from this have sprung all those Clamours which have been raised without Doors against what I am now to propose to you. The Smugglers, the fraudulent Dealers, and those who have for many Years been enriching themselves by cheating their Country, foresaw, that if the Scheme I am now to propose took Effect, their profitable Trade would be at an End ; this gave them the Alarm, and from them I am perswaded it is, that all those Clamours have originally proceeded.

In this 'tis certain, they have been most strenuously assisted and supported by another Set of People, who, from Motives much worse, and of much more dangerous Consequence to their Country, are fond of improving every Opportunity that offers for stirring up the People of *Great Britain* to Mutiny and Sedition. But, Sir, notwithstanding all the Clamours that such wicked and deceitful Men have been able to raise, as the Scheme

I have

I have to propose will be a great Improvement to the publick Revenue, an Improvement of 2 or 300,000*l.* per Ann. and perhaps more, and as it will likewise be of great Advantage to the fair Trader, I thought it my Duty, not only as being in the Station I am in, but also as being a Member of this House, to lay it before you; for no such Clamours shall ever deter me from doing what I think is my Duty, or from proposing any Thing that I am convinced will be of such signal Benefit to the Revenue, and to the Trade of my Country.

It has been most industriously spread abroad, that the Scheme I am now to propose, was a Scheme for a general Excise; but I do aver that no such Scheme ever enter'd into my Head, nor, for what I know, into the Head of any Man I am acquainted with: My Thoughts were always confined solely to those two Branches of the Revenue arising from the Duties on Wine and Tobacco, and it was the frequent and repeated Advices I had of the notorious Frauds committed in these two Branches of the Revenue, and the Clamours even of some of the Merchants themselves, that made me turn my Thoughts particularly towards considering those two Branches, in order to find out, if possible, some Remedy for the growing Evil; what I am now going to propose will, I believe, if agreed to, be an effectual Remedy; but if I now fail in what I am to propose, it will be the last Attempt of this Kind that I shall ever make, I believe it will be the last that will ever be made, either by me, or by any that shall succeed me in the Station I am now in.

At present, I shall lay before you only the Case as it now stands with Respect to the Tobacco Trade, and the Revenue arising therefrom; and here it will be necessary first to consider the Condition of our Planters of Tobacco in *America*; if we can believe them, if we can give any Credit to what they themselves say, we must conclude that they are reduced almost to the last Extremity, they are reduced even almost to a State of Despair, by the many Frauds that have been committed in that Trade, by the heavy Duties which the Importers of Tobacco are obliged to pay upon Importation, and by the ill Usage they have met with from their Factors and Correspondents here in *England*, who from being their Servants, are now become their Lords and Masters. These poor People have sent home many Representations of the bad State of their Affairs, and have lately

lately sent over a Gentleman with a Remonstrance, setting forth their Grievances, and praying for some speedy Relief: This they may obtain by Means of the Scheme I intend now to propose, and I believe it is from this Scheme only that they can expect any Relief.

The next Thing we are to consider, is the State of the Tobacco Trade, with Regard to the fair Trader; the Man who deals honourably and fairly with the Publick, as well as with private Men, the Man who honestly pays all those Duties which the Publick is justly entitled to, finds himself prevented and forestalled almost in every Market within the Island, by the Smuggler and the fraudulent Dealer; and even as to our foreign Trade in Tobacco, those who have no Regard to Honour, to Religion, or to the Welfare of their Country, but are every Day contriving Ways and Means for cheating the Publick by Perjuries and false Entries, are the greatest Gainers, and it will always be so, unless we can fall upon some Way of putting it out of their Power to carry on any such Frauds for the future.

And lastly, we ought to consider the great Loss sustained by the Publick, by Means of the Frauds committed in the Tobacco Trade, and the Addition that must certainly be made to the publick Revenue, if those Frauds can be prevented in Time to come. By this Addition we may be enabled to relieve the Nation from some of those Taxes which it has laboured under so many Years; whereas, as the Case now stands, the Innocent and the honest Part of the Nation are charged with Taxes which they would be free from, if the fraudulent Dealers and the Smugglers could be any Way obliged to pay that which is justly due by them to the Publick. This will, I am convinced, be the Effect of the Scheme I am to propose to you, and whoever therefore views it in its proper Light, must see the Planters, the fair Traders, and the Publick, ranged on one Side in Favour of it; and none but the unfair Traders and the Tobacco-Factors on the other.

I shall beg Leave to mention to you some of those Frauds which have come to my Knowledge. The Evidence I have had of them is to me very convincing: But in such Cases Gentlemen ought always to consider what Evidence it is impossible to bring, what Evidence it is by the Nature of the Thing unreasonable to expect.

Then

Then he went thro', and gave a most exact Account of the several Frauds which had been practis'd of late Years in the Tobacco Trade, from which he made Calculations of the Loss the Publick thereby sustained, particularly that of getting the Tobacco weigh'd at an under Weight upon Importation, and getting it weigh'd again upon Exportation at a Weight much above what it ought to be:

A particular Instance of this Fraud, *says he*, we came lately to the Knowledge of by meer Accident: One *Midford*, who had been a considerable Tobacco Merchant in the City, happened to fail, at a Time when he ow'd a large Sum of Money upon Bond to the Crown; whereupon an Extent was issued out immediately against him, and thereby the Government got Possession of all his Books, by which the Fraud he had been guilty of was discovered; for it appeared, as may be seen by one of his Books I have in my Hand, [whereupon he shew'd one of this *Midford's* Books to the Committee] that upon the Column where the false Quantities which had been enter'd at the Importation, by Collusion between him and the Officer, by which he paid or bonded the Duty payable upon Importation, a Slip of Paper had been so artfully pasted on that it could not be discover'd, and upon this Slip of Paper were written the real Quantities which were enter'd, because he was obliged to produce the same Book when that Tobacco was enter'd for Exportation; but then upon Exportation the Tobacco was enter'd and weigh'd according to the Quantities mark'd upon this Slip of Paper so artfully pasted on as I have mention'd, by which he got a Drawback, or his Bonds returned, to near double the Value of what he had actually paid Duty for upon Importation. Yet this *Midford* was as honest a Man and as fair a Trader as any in the City of London; I desire not to be misunderstood, I mean that before he fail'd, before these Frauds came to be discover'd, he was always reckon'd as honest a Man, and as fair a Trader as any in the City of London, or in any other Part of the Nation.

After this, he mention'd the several Frauds following, *viz.* That of Re-landing the Tobacco after it was shipping off for Exportation: That of Socking of Tobacco, which was a cant Word us'd for stealing and smuggling it out of the Ships after their Arrival in the River, before they were unloaded at the Custom-house: That of stripping the Stalks, and afterwards splitting and pressing

pressing them by an Engine contrived for that Purpose, and then exporting them : That of giving Bonds for the Duty payable upon Importation, whereby the Government had lost several large Sums by the Failure of Payment of such Bonds : That of the rich Money'd Men making prompt Payments, by which the Publick was obliged to allow them *Ten per Cent.* Discount as to the Duties, and by entering the Tobacco soon after for Exportation, they drew back the whole Duties, so that the Government actually lost *Ten per Cent.* upon all the Tobacco that had been so enter'd.

These Frauds, *says he*, are notorious, most of them are known to the whole World and as the Laws of the Customs have been found ineffectual for the preventing of such Frauds, therefore it is proposed to add the Laws of Excise to the Laws of the Customs, and by Means of both it is probable, I may say certain, that all such Frauds will be prevented in Time to come.

The several Subsidies and Imposts now payable upon Tobacco, by several Acts of Parliament for that Purpose made, stand thus ; [here he went through, and gave an Account of the several Acts of Parliament for laying Duties on Tobacco, then he went on] By all which it appears, that the Duties now payable upon Tobacco on Importation amount to 6*d.* and one third Part of a Penny *per Pound Weight*, all which must be paid down in ready Money upon Importation, with the Allowance of *Ten per Cent.* upon prompt Payment, or otherwise there must be Bonds given with sufficient Sureties for the Payment thereof, which is often a great Loss to the Publick, and is always a great Inconvenience to the Merchant Importer ; whereas, by what I am to propose, the whole Duties to be paid for the future will amount to no more than 4*d.* and three Farthings *per Pound Weight*, and this Duty not to be paid 'till the Tobacco comes to be sold for home Consumption, so that if the Merchant exports his Tobacco, he will be quite free from all Payment of Duty, or giving Bond therefor, or finding out proper Sureties for joining in such Bond ; he will have nothing to do but to reload his Tobacco on Board a Ship for Exportation, without being at the Trouble to attend for having his Bonds cancell'd, or for taking out Debentures for the Drawbacks ; all which, I conceive, must be a great Ease to the fair Trader ; and to every such Trader the preventing of Frauds must be a great Advantage, because it will put all

all the Tobacco Traders in *Britain* upon the same Footing, which is but just and equal, and what ought certainly to be accomplished, if it be possible.

New, in order to make this Ease effectual to the fair Trader, and to contribute to his Advantage by preventing as much as possible any Frauds in Time to come, I propose, as I have said, to join the Laws of Excise to those of the Customs, and to leave the one Penny, or rather three Farthings *per* Pound, call'd the further Subsidy, to be still charged at the Custom-house upon the Importation of any Tobacco, which three Farthings shall be payable to his Majesty's Civil List as heretofore; and I propose that all Tobacco for the future, after being weighed at the Custom-house, and charged with the said three Farthings *per* Pound, shall be lodg'd in a Warehouse or Warehouses, to be appointed by the Commissioners of the Excise for that Purpose, of which Warehouse the Merchant-Importer shall have one Lock and Key, and the Warehouse-keeper to be appointed by the said Commissioners shall have another, in order that the Tobacco may lie safe in that Warehouse till the Merchant finds a Market for it, either for Exportation or for Home Consumption: That if his Market be for Exportation, he may apply to his Warehouse-keeper, and take out as much for that Purpose as he has Occasion for, which, when weighed at the Custom-house, shall be discharged of the three Farthings *per* Pound with which it was charged upon Importation, so that the Merchant may then export it without any further Trouble: But if his Market be for home Consumption, that he shall then pay the three Farthings charged upon it at the Custom-house upon Importation, and that then upon calling his Warehouse-keeper, he may deliver it to the Buyer, on paying an Inland Duty of 4*d.* *per* Pound Weight, to the proper Officer appointed to receive the same.

And whereas all the Penalties and Forfeitures to become due by the Laws now in Being for regulating the Collecting of the Duties on Tobacco, or at least all that Part of them which is not given to the Informers, now belong to the Crown, I now propose that all such Penalties and Forfeitures, in so far as they formerly belonged to the Crown, shall for the future belong to the Publick, and be applicable to the same Uses to which the said Duties shall be made applicable by Parliament; and for that Purpose I have his Majesty's Commands to

acquaint this House that he, out of his great Regard for the publick Good, with Pleasure consents that they shall be so apply'd, which is a Condescension in his Majesty, that I hope every Gentleman in this House is fully sensible of, and will freely acknowledge.

I know there has been an Objection made, I expect to hear it again made in this House, against what I now propose : The Objection is this, that a great many of his Majesty's Subjects will be subjected to being try'd in a Multitude of Cases by the Commissioners of Excise, from whom there is no Appeal, but to Commissioners of Appeal, or to Justices of Peace in the Country, all named by the King, and removeable at Pleasure, from whom the Appellants cannot expect to meet with Justice or Redress. I am far from thinking there is any Ground for this Complaint, I am far from thinking that any Man ever had a just Reason to say that he was wronged, or unjustly dealt with, either by the Commissioners of Appeal, or by the Justices of the Peace at their Quarter-Sessions ; but in Order to obviate any Objection of this Nature, I propose that all Appeals in this Case, as well as in all other Cases relating to the Excise, shall for the future be heard and determin'd by two or three of the Judges to be named by his Majesty, out of the twelve Judges belonging to *Westminster-Hall* ; and that in the Country, all Appeals from the first Sentence of his Majesty's Justices of the Peace, shall be to the Judge of Assize upon the next Circuit which shall come into that Country, who shall in all Cases proceed to hear and determine such Appeals in the most summary Way, without the Formality of Proceedings in Courts of Law or Equity. From such Judges, and from such a Manner of Proceeding, every Man must expect to meet with the utmost Dispatch, and with the most impartial Justice ; and therefore I must think, that what I now propose can be no Inconvenience to those who may thereby be subjected to the Laws of Excise ; but that if there was formerly any Ground of Complaint, it may be a great Relief to those who are already subjected to such Laws.

This is the Scheme which has been represented in such a dreadful and terrible Light : This is the Monster, that many headed Monster, which was to devour the People, and to commit such Ravages over the whole Nation. How justly it has been represented in such a Light, I shall leave to this Committee, and to the whole World without Doors to judge. I have said, I will

say

say it again, that whatever Apprehensions and Terrors People may have been brought under from a false and malicious Representation of what they neither did nor could possibly know or understand, I am firmly perswaded, when they do come to know and fully to understand the Scheme which I have now had the Honour to open to you, they will view it in another Light; and that if it has the good Fortune to be approved of by Parliament, and comes to take Effect, the People will soon feel the happy Consequences thereof; and when they feel those good Effects, they will no longer think those People their Friends, who have so grossly imposed on their Understandings.

I look upon it as a most innocent Scheme; I am convinced it can be hurtful to none but Smugglers and unfair Traders; I am certain it will be of great Benefit and Advantage to the publick Revenue; and if I had thought otherwise of it, I never would have ventur'd to have propos'd it in this Place; therefore I shall now beg Leave to move, that it may be resolv'd, That it is the Opinion of this Committee, that the Subsidy and additional Duty upon Tobacco of the *British Plantations*, granted by an Act of the 12th of King *Charles II.* and the Impost thereon, granted by an Act of the first of King *James II.* and also the one third Subsidy thereon, granted by an Act of the 2d of Queen *Anne*, (amounting in the whole to five Pence and one third Part of a Penny per Pound) for several Terms of Years in the said respective Acts mention'd, and which have since been continu'd and made perpetual, subject to Redemption by Parliament, shall, from and after the 24th Day of *June 1733*, cease and determine.

The Scheme being thus open'd and explain'd, the following Gentlemen severally spoke to the Question,

Mr. Al——n R——y.

S I R,

THE honourable Gentleman on the Floor has taken up a great deal of the Time of the Committee, in stating a great Number and Variety of Facts, and in drawing Conclusions, and making Calculations upon the Supposition that every one of those Facts was exactly as he has been pleased to represent them to us. This I cannot entirely agree with the Gentleman in, for if all those Facts were exactly as he has represented them,

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and if all the Computations he has made upon that Supposition were just, that Quantity of Tobacco, the Duties of which the Publick is thereby supposed to be entirely defrauded of, would amount to a much greater Quantity of Tobacco yearly, than grows in the whole Country from which we fetch that Commodity. I did not expect to have heard such a long Detail of Facts, or so many particular Computations. I do not think it at all necessary upon the present Occasion ; I expected that the Gentleman would have taken a much more general and a more just Method : I thought he would have stated to us the Quantity of Tobacco yearly imported, the Quantity yearly exported, and would have given us the best Proofs that could be found for justifying his Computations in that Respect, because from thence every Man might have easily seen what Quantity remained for home Consumption, and what Sum of Money that would have yearly brought in, if the Duties had been all regularly paid ; and upon comparing that with what those Duties have really amounted to for some Years past, we might have been able to have made some Guess at the Value of the Frauds that have been committed, and at the Advantage that may accrue to the Publick, supposing that all Frauds had been prevented for Time to come.

This is the proper Way, the only Way of coming at any Sort of certain Knowledge in the Affair before us, but I am afraid if we should consider it in this Way, we should find that the Scheme now proposed to us would be of no such mighty Advantage to the publick Revenue as has been represented, even supposing that all Frauds were for the future to be thereby entirely prevented ; and considering that no Method of Collection, no Pains or Penalties, that can be contrived, can be supposed effectual for preventing every Fraud that may hereafter be invented and set on Foot ; we should find no great Temptation for agreeing to any Scheme by which the Liberties of our Country may be brought into the least Danger, for the Sake of any Advantage that we could suppose would thence accrue to the publick Revenue. That there are Frauds committed in the Tobacco Trade, I shall never pretend to deny, I make no manner of Doubt but that there are too many Frauds committed in that Trade, as well as in every other Branch of the publick Revenue : But upon a fair State of the Case, I am sure they cannot amount to near that Value which the honourable Gentleman has been pleased to

to mention; and therefore I beg Leave to examine a little those particular Frauds and Calculations which have been mention'd by him.

[Here he went thro' and examin'd all the Frauds that had been mention'd, and all the Computations that had been made, more particularly as to the Bonds, then added]

It has been pretended, that the Publick has sustained and are still in Danger of sustaining great Losses by the Method of granting Bonds for the Duties payable upon Tobacco: This I had before heard hinted at by the honourable Gentleman, and therefore I have lately had a Meeting with several of the Merchants in *London* trading in Tobacco: We have examined that Affair, and I can now tell that Gentleman, that I have it in Commission from them to propose, that if the Government will give us a Discount but of 20,000 *l.* we will give undeniable Security for the Payment of all the Bonds they are now possessed of, which are not become desperate by the Bondsmen being already gone off, or become Bankrupts.

As to that Fraud call'd Socking, it has been already discover'd, and is, I hope, prevented. But it is well known, that it was the Merchants that discover'd it, the Merchants went and complain'd of it to the Commissioners of the Customs, and the Merchants join'd and assisted the Officers of the Customs in putting an effectual Stop thereto. This I must know, because I had the Honour to go at the Head of several Merchants trading in Tobacco, to the Commissioners of the Customs, to request of them that we might be allow'd to give a Gratuity to one of their Officers, who had been most instrumental in the detecting and preventing of that Fraud, and accordingly I myself paid that Officer a very handsome Sum of Money, which we all thought his Diligence and Integrity very well deserv'd.

As to the Frauds committed at the Weighing of the Tobacco either on Importation or Exportation, I am afraid they are too frequent, but as the Tobacco is always weighed upon the publick Custom-house Keys, where Custom-house Officers swarm like Bees before a Hive, and as there must be two or three Officers of the Customs attending and over-looking the weighing of every Cask of Tobacco, we cannot suppose that these Frauds were ever so enormous as they are represented to be. Whatever Frauds are committed in that Way, must
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be either by Neglect or Collusion of the Officers, and I cannot see how the Scheme now proposed to us will make the Officers either of the Customs or the Excise, more diligent in their Duty, or more faithful in their Trust, than they were heretofore. As to the re-landing of Tobacco, after it has been enter'd for Exportation, it was never pretended that that was practis'd at the Port of *London*, nor can it be pretended that any great Quantities of such Tobacco were ever consum'd in *London*. That is a Practice that may perhaps have been frequent in the Northern Parts of the Island, and in some distant Creeks and Corners of the Coast, and while there is such a vast Disproportion between the prime Cost and the Duties on Tobacco, I may prophesy, that in such remote Places, this will always be a Practice: It could not be prevented by ten times the Number of Officers we have, even tho' we had a much more numerous Army to support them than we have at present. And as for the stripping, cutting, and pressing the Stalks, and the Engine that has been invented for that Purpose, if the honourable Gentleman mention'd it as a Fraud, or as a late Discovery, he mistakes it very much; on the contrary, it is no Fraud, nor is it a late Discovery; it is a Business that has been openly, honestly, and publicly carry'd on for many Years; it is a Business that has improv'd our Tobacco Trade, and is as common and as well known as the Business of a Woollen or a Linnen Draper.

Permit me now to take some Notice of the Tobacco Planters, and of the Hardships they are laid under by their Tobacco Factors, who are, it seems, now become their Lords and Masters. I am sure none of them ever thought of complaining, 'till they were put upon it by Letters and Applications from hence. There are Hardships in all Trades, which Men must necessarily submit to, or give up their Business; but every Man that understands the Tobacco Trade, must see that the Hardships the Factors labour under, are by much the most numerous and the most grievous; and if this Scheme should take Effect, they will become so grievous, that no Man would be able to continue in the Trade, by which the Planters would be utterly undone, and the Trade quite lost to this Nation; for it will be impossible for them to manage their Plantations, or to send their Produce to *Britain*, without having some considerable Merchants settled here, to send Ships to receive the same in *America*, to receive and dispose of it after it is

landed here, and to supply them with ready Money 'till their Tobacco can be brought to a proper Market. As to the Remonstrance mention'd by the honourable Gentleman, to have been lately sent over by the Tobacco Planters, I know it was obtain'd by Letters sent from hence, and I believe many of those who join'd in it, now heartily repent of what they have done; it was drawn up in Form of a Petition to this House, and was designed to have been presented, but it seems the Promoters of it have thought better of the Matter: However, that it was obtain'd in the unfair Manner I have represented, I am now ready to prove, to the Conviction of the whole World.

This then being the Case, as the Scheme now proposed to us cannot be supposed to be of any great Benefit to the publick Revenue, as it will be so far from being an Advantage to the fair Trader, or to the honest Planter, that it may probably ruin both, and entirely destroy our Tobacco Trade; tho' I, and all honest Men, (and I defy that honourable Gentleman, I defy the whole World to reproach me with one unfair Practice in the whole Course of my Life) I say, tho' I and all honest Men wish from our Hearts that Frauds may be prevented in this, as well as in every other Branch of the publick Revenue, yet I cannot give my Assent to a Proposition that may be of so dangerous Consequence; a Proposition which I look upon to be inconsistent with our Constitution; I am convinced it would prove a most fatal Stroke to the Liberties of my Country, which will, I doubt not, be made plainly appear by other Gentlemen of much greater Abilities than mine; and to every Man who has a Regard for his Country, or for the People he represents, this last must be a sufficient Reason for being against it, even tho' it were otherwise the most beneficial Scheme that had ever been proposed.

But since I look upon my being a Member of this House, as the greatest Glory of my Life, since I look upon that Day on which I was chose one of the Representatives of the City of London, as the most auspicious Day of my whole Life, I cannot tamely sit still and hear the whole Body of the Merchants of that great City represented by that honourable Gentleman as a pack of Rogues, Smugglers, and unfair Traders. It is a Treatment they no way deserve, it is a very odd, a very unkind Sort of Treatment, and such a Treatment as I am sure they never will forget, and believe never will forgive.

Sir

Sir P—l M——ⁿ, for the Borough of Brackley in
Northamptonshire.

S I R,
W H E N I first heard of this Scheme, I was in the Country, and there I must say that it had been represented in such a Light, as created a general Dislike to it, and raised great Apprehensions in the Minds of most People. It was represented as a Scheme for introducing a general Excise; such a Scheme I own I would not allow myself to think was contrived or approved of by any Gentleman in the Administration; I did imagine, that all those in the Administration, were very well convinced that a General Excise was what the People of *England* would never quietly submit to, and therefore did not believe that any of them would ever countenance a Scheme which had the least Tendency that Way. But now, after having heard it open'd, and fully explain'd, by the honourable Gentleman on the Floor, I cannot but think that it is a wide Step towards establishing a General Excise, and therefore must be excused assenting to it.

How far it relates to Trade, (with which it certainly has a very close Connection) I shall leave to be explain'd by others more conversant in those Affairs; nor will I take upon me to say how far it may be a Remedy for the Frauds mention'd by the honourable Gentleman; but there is another Concern which I shall always, while I have the Honour to sit in this House, have a particular Eye to, and that is, the Liberty of my Country. The Danger with which this Scheme seems to threaten the Liberty of many of my Fellow Subjects, is alone of sufficient Force to make me give my Negative to the Question. Let Gentlemen but reflect, let them but cast their Eyes back on the several Laws that have been made since the Revolution, they will there find, that there has been already more Power vested in the Crown, than may be thought altogether consistent with the Constitution of a free Country; and therefore, I hope this House will never think of adding to that Power, which there may be some Ground to suspect is already too far extended.

The Laws of Excise have always been look'd upon as most grievous to the Subject: All those already subjected to such Laws, are, in my Opinion, so far depriv'd of their Liberty; and since by this Scheme, a great many
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more of his Majesty's faithful Subjects are to be subjected to those arbitrary Laws, let the Advantages accruing to the Publick from it, be never so great or so many, they will be purchased at too dear a Rate, if they are purchased at the Expence of the Liberty of the meanest of his Majesty's Subjects; for even the meanest Man in the Nation, has as natural and as good a Right to his Liberty, as the greatest Man in this or in any other Kingdom.

Let us but take a View of the neighbouring Nations in *Europe*, they were all once free, the People of every one of them had once as many Liberties and Privileges to boast of, as we have now; but at present they are most of them reduced to a State of Slavery, they have no Liberty, no Property, no Law, nor any Thing they can depend on. Let us examine their Histories, let us enquire into the Methods by which they were deprived of their Liberties, and we shall find a very near Resemblance between those Methods and the Scheme now proposed to us. Almost in every Country in the World, the Liberties of the People have been destroy'd, under Pretence of preserving, or of rescuing the People from some great Evil, to which it was pretended they were exposed; this is the very Case now before us, in order to enable the Crown to prevent some little Frauds pretended to have been committed in the ancient Method of collecting the publick Revenue; it is proposed to us to put such a Power in the Hands of the Crown, as may enable some future Prince to enslave the whole Nation. This is really the Light in which this Scheme appears to me, but to the honourable Gentleman who proposed it to us, I am persuaded it appears in a quite different Light, otherwise I am certain he would never have proposed it to this Committee: However, since the Generality of the Nation have already shewn a great Dislike to it; I therefore hope the honourable Gentleman may be prevailed on to delay it 'till another Session of Parliament; in such a Delay there can be no Danger, there can be no great Loss to the Publick, more-especially since the Money to be thereby raised, is not so much as proposed to be applied to the current Services of the present Year. If it be delay'd 'till another Session of Parliament, Gentlemen will then have Time to consider it fully, and to consult with their Constituents about it; by that Time it may possibly appear in a quite different Light, both to me and to many other Gentlemen, without Doors as well as within; and then, if upon Examination

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Examination

mination it appears to be as good a Thing as some Gentlemen now seem to believe, it will, without Doubt, be approved of by the Generality of those without, as well as by the Majority of those within.

But I hope those Gentlemen who have now so good an Opinion of the Scheme, will not think of thrusting it down People's throats, when they see that the Generality of the Nation have an Opinion of it quite different from what they have; such a Resolution, such an Attempt might produce Consequences which I tremble to think of; and this is another Motive which is of great Weight with me; I have the Honour to know his Majesty, his Royal Person I have formerly had the Honour to approach, and I know him to be a Prince of so much Goodness, that were this Scheme represented in this Light to him, he never would approve of it; to him it will always be a sufficient Reason against any Proposition, that the Generality of his People have shewn their Dislike to it: I love his Majesty, I have a sincere and a dutiful Respect for him and all his Royal Family, and therefore I shall always be afraid of any Thing that may alienate the Affections of many of his Majesty's faithful Subjects, which I believe would be the certain Consequence of the present Establishment of this Scheme; for which Reasons, if the Question be now pushed, I shall most heartily give my Negative to it.

Mr. Attorney General.

SIR,

After the honourable Gentleman by me had opened to the Committee in a Manner so full and so clear, a Scheme which had met with so unfair and so ungenerous a Treatment, before those who treated it so, could know any Thing about it, I little expected that the honourable Gentleman who spoke last, or any Gentleman in this Committee, could be so far deceiv'd, as to have taken it in the Light they now do. In my Opinion, the Debate is now put upon a Footing very different from what it ought to be: What can the Affair now before us, have to do with our Constitution? There is nothing, there can be nothing supposed to be in the Proposition made by my honourable Friend, that can in the least tend towards incroaching on our Constitution, or towards affecting the Liberty of the Subject. The only Consideration at present before us is, Whether we shall allow those gross Frauds and Abuses formerly committed

committed in the Tobacco Trade to be still carry'd on with Impunity, or accept of a Remedy, which by effectually preventing these Frauds for the future, will considerably improve the publick Revenue, will be of great Advantage to the fair Trader, and of singular Use and Benefit to the whole Nation?

This is the plain Question now before us, and if it be consider'd in its proper Light, without confounding it with other Matters with which it has no manner of Relation, I am sure it cannot admit of any Debate. The honourable Gentleman in opening this Affair to us, made it so manifest, that there have been great Frauds committed in that Branch of Trade, and that the preventing of those Frauds would be a great Improvement to the publick Revenue, that what he advanced on that Head, has not been opposed or contradicted: And this House has been upon all Occasions so very careful of the publick Revenues, and has been always so ready to agree to any Measures for preventing Abuses in the Collecting of them, that I cannot help thinking that the Dislike which appears against the Remedy now proposed, must proceed from some other Motives than Gentlemen are willing to own.

It is certain, that by the Frauds and Abuses that are committed in this Branch of the Revenue, not only the Publick is cheated of what is due to them, but likewise every private Consumer is most grossly imposed on, for he pays the same Price as if the Duties had actually been paid to the Publick. He pays a high Price for what he consumes, but then he has this for his Comfort, that he thinks a great Part of that high Price goes towards the publick Good of his Country; but in all fraudulent Trade he is imposed on, the high Price he pays, goes every Farthing of it into the Pocket of the fraudulent Dealer. This then being plainly the Case, I should think that the Gentlemen who are to oppose this Scheme, ought to endeavour to shew us, that no such Frauds as are pretended, have been committed, or that they are so inconsiderable that they are not worth minding, or that what is proposed would be no Sort of Remedy for them; but upon the present Question, to talk of our Constitution, seems really to me, to be a Sort of Insinuation, as if Frauds in the Collecting of the publick Revenue, were become a Part of our Constitution, and that whoever attempts to remedy them, must attempt something against our Constitution: And as to

the Liberty of the Subject, it is not possible for me to find out any Liberty that can be struck at by the Scheme now before us, but the Liberty of Smuggling; for as to National Liberty, as to that Liberty which has always been, and I hope always will be the Glory of the People of these Kingdoms, it is certain that our publick Revenues are its greatest Security: How then can that Scheme be said to tend towards the destroying of Liberty, which so evidently tends towards the Improvement of that upon which our Liberty manifestly depends?

As to the raising Clamours and Disaffection among his Majesty's faithful Subjects, there can be no Reason for apprehending any such Thing from the Scheme now proposed to us: Whatever Clamours may have been unjustly raised by ill-designing Men against the Scheme before it was known, will certainly all vanish as soon as it comes to be publicly known, that there never was any Thing intended by the Scheme, but only to enable the Publick to receive those Duties they are already by Law entitled to, and to prevent the fair Trader's being undone by Rogues and Smugglers; so that one strong Argument with me for agreeing to the Scheme is, that by carrying it into execution, and thereby shewing to every Man what it really is, those ill-grounded Clamours, which have been raised by the Enemies of the Government, may be allay'd, and may be made appear to be at last as groundless as they were at first malicious. Besides, as one of the chief Things intended by this Scheme, is the Relief of the Landed Interest; it must contribute towards establishing his Majesty and his Government in the Hearts and Affections of all the Landed Gentlemen in *England*, when they see themselves so considerably relieved as to a Tax which they have been charged with for a great many Years, and that without loading them, or any of their Fellow Subjects, with any new Tax whatever, or obliging one honest Man in the Kingdom to contribute a Farthing to the publick Charge more than he did before: This must secure to his Majesty the Affections of all honest Men, and it will greatly improve our Character among our Foreign Neighbours; for when they see that the Government may be supported in Times of Peace, without the Assistance of that Imposition which is yearly raised upon the Landholders of *Great Britain*, they will be careful of giving us any Disturbance or Offence, they will all see that we have a Fund in reserve, ready at all Times,
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and sufficient for supporting a most heavy and expensive War.

As to the Severity of the Laws of Excise, I am surpris'd to hear Gentlemen talk so much of it as they do. They talk of those Laws as if there were something in them most singularly severe, when it is well known that the Laws of the Customs are in many Cases as severe as those of the Excise, and the Powers granted by the former, are in most Cases as extensive as those granted by the latter: An Officer of the Customs has, in many Cases, a Power of entering the House of any Subject in *Britain*: This is a Power that is absolutely necessary to be given, and will always be necessary, as long as we have any Duties to be levy'd: It is a Power they have had for many Years, and yet it never has been, I hope it never will be abused; if ever it should, the Parliament would, without Doubt, severely chastise that Officer that committed such an Abuse, or those Commissioners who dared to encourage him in the committing of any such Abuse. In this therefore the Laws of the Excise are no more severe than the Laws of the Customs, and in most other Cases, we shall find them pretty much the same with respect to Severity; for which Reason I could not but be surpris'd to hear the honourable Gentleman who spoke last say, that he thought all those who were subject to the Laws of Excise were downright Slaves, and were entirely deprived of their Liberty: I believe that most of those People who are subject to the Laws of Excise, look upon themselves to be as free, and enjoy as much Liberty, as any other of his Majesty's Subjects.

One of the great Complaints against this Scheme is, I find, that it will greatly encrease the Number of Excise-Officers; a new Army of Excisemen it is said must be rais'd for the Execution of this Scheme, and this may be of dangerous Consequence to our Liberties. But how little Weight there is in this Argument, I leave to every Gentleman to judge: The whole Number propos'd to be added is not above 126 Officers; but granting that there were to be 150, is this Nation to be enslaved by 150 Nittle Excisemen? In this there is really something so ridiculous, that I am almost ashamed to mention it.

Another Objection is, that thereby a great many People will be subjected to be try'd by the Commissioners of Excise, or by Commissioners of Appeal, who are entirely

entirely dependent on the Crown, and removeable at Pleasure ; but this Objection is, I think, entirely removed, by making the Appeal to three Judges in *Westminster-Hall*, who are all Judges for Life, and are consequently entirely independent on the Crown. To this the Gentlemen answer, that, even before those Judges, the Subject is not to be tried by a Jury, and this is loudly complained of, as if the subjecting of *Englishmen* to any Tryal but that by a Jury, were a great Innovation, and a dangerous Encroachment upon our Constitution. I own that by the Great Charter, by one of the fundamental Articles of our Constitution, every *Englishman* is to be try'd by his Peers ; but has not the Wisdom of the Nation found it necessary to admit of many Exceptions to this general Rule ; we have several of our most eminent Courts, which are in every Method of their Proceeding an Exception to this Rule ; in the Court of Chancery we have no Trials by Juries ; in the High Court of Admiralty we have no Trials by Juries ; and in many particular Cases it is order'd, that the Affair shall be try'd in the most summary Way without any Jury : In all these Cases the Wisdom of the Nation found it necessary to depart from the general Rule established by the Great Charter, and therefore they altered the Method of Trial ; Why should not the Legislature now do the same ? Is not their Power the same ? And if they see good Reason for it in the present Case, ought not they to do it ? Whatever is done by the Wisdom of Parliament, becomes a Part of our Constitution ; and whatever new Method of Trial is thereby introduced, becomes from thenceforth as much a Part of our Constitution as ever the old one was.

Now, if ever there was a Reason in any Case for altering the ancient Method of Trial by Jury, I am sure there is a very strong Reason for altering it with Regard to Trials concerning the Revenue : Every Gentleman, who has been the least Conversant in the Courts of *Westminster-Hall*, well knows the Partiality of Juries in Favour of those who are sued by the Crown for any Frauds in the publick Revenue ; I could give many Instances of it, but I shall mention only one. [Here he inform'd the House of the Case.] The Defendant in this Case was one of the most famous and the most notorious Smugglers in the whole Country, he had often been try'd for such Practices, and though he had always before escaped, yet it was thought impossible he

he should then get off; I had then the Honour to serve the Crown, and so must very well remember the Trial; the Evidence against him was so very full and clear, that I believe there was not a Man in the Court, except those on the Jury, who were not fully convinced of the Truth of the Evidence given against him; he was, according to the Opinion of every other Man present fully convicted of what he was accused of; yet the Gentlemen of the Jury thought fit to bring in a Verdict in his Favour: So that really the Crown can never pretend to prevent Smuggling or unfair Trading as long as the Trials are to be for the most part by Juries; and where it becomes necessary to alter that Method of Trial, the altering it in that new Case can no more be said to be an Innovation or an Incroachment on our Constitution, than the altering of it formerly in another Case was.

In short, I have as great a Value for the Liberty of my Fellow Subjects as any Gentleman in this House; I shall always be ready to appear for the Liberties of my Country, whenever I see them in any Manner attacked; but as Liberty does not at all enter into the present Question, it is needless to make any Declarations about it, or to have it any wise under our Consideration, and therefore I shall be very ready to give my Assent to the Motion made by the honourable Gentleman near me.

Sir P—t M——n.

S I R,

I Rise up only to explain myself as to one Particular, in which the honourable and learned Gentleman over the Way, for whom I have a very great Respect, seems to have mistaken me, or rather, has misrepresented what I said. For I did not say, that those who are now subject to the Laws of Excise, are downright Slaves, or that they are totally depriv'd of their Liberty. I should be sorry if any such Thing could be said of any Man that has the least Pretence to call himself a Subject of *Great Britain*; but I said that those who are subjected to the Laws of Excise, are in so far as they are subjected to such Laws depriv'd of their Liberty: They are deprived of a Part of their Liberty, and therefore cannot be said to be as free as any other of his Majesty's Subjects. This is still my Opinion, and if those who are so unfortunate as to be subject to the Laws of Excise, were to be asked the Question, Whether they think themselves as free in all Cases as those who are subject to no such

such Laws? I believe there is not one of them but would answer, No.

Sir J—n B——d.

S I R,

I find that the honourable Gentleman who opened this Scheme to the Committee, and the honourable and learned Gentleman who spoke last, make great Complaints of some People's having grossly and maliciously misrepresented their Scheme, before those malicious Persons knew what it was. For my Part, I happen to be of a very different Way of thinking; for tho' I am far from thinking that the Scheme, as now open'd to us, is the very same with what it was when first formed, yet even as it is now opened, it is such a Scheme, in my Opinion, as cannot, even by Malice itself, be represented to be worse than it really is. Now that I know it, now that I see what it is, it appears to me to be a Scheme that will be attended with all those bad Consequences that ever were apprehended from it before it was known; and I plainly foresee, that it will produce none of those good Effects which Gentlemen have been pleased to entertain us with the Hopes of: They have, indeed, gilded the Pill a little, but the Composition within is still the same; and if the People of *England* be obliged to swallow it, they will find it as bitter a Pill as ever was swallow'd by them since they were a People.

The learned Gentleman was pleased to say, that he was of Opinion, that the Opposition to this wicked Scheme, (for so I must call it) proceeded from other Motives than Gentlemen are willing to own, I do not know what Motives he can mean; but I am persuaded that those Gentlemen who propose this Scheme, have some secret Views which it would neither be convenient or safe for them to own in this Place. For as to any Reasons or Views which may be openly avow'd for the proposing of this Scheme, I know of none but that of preventing the Frauds that may be committed in that Branch of the Revenue now under our Consideration; and that this Scheme will not answer that Purpose, has, I think, been made plainly appear by my worthy Brother near me; but granting that this Scheme should answer such a Purpose, if the Laws now in Being, duly executed, are sufficient for answering that Purpose, what Necessity is there for applying this new, this desperate Remedy,

Remedy, a Remedy which is certainly much worse than the Disease? Before I proceed any farther, I shall desire that the Commissioners of the Customs, who are attending at the Door, may be called in.

[The Commissioners were accordingly called in, and being asked by Sir J—n, What they thought the Value of the Frauds committed in the Tobacco Trade might amount to one Year with another? their Answer in Effect was, That they had never made any Computation; but one of them said, that by a Computation he had made, only to satisfy his own private Curiosity, he believed the Frauds come to their Knowledge might amount to 30 or 40,000*l.* *per Ann.* one Year with another. Then Sir J—n put the following Question to them, Whether or no it was their Opinion, that if the Officers of the Customs performed their Duty diligently and faithfully, it would not effectually prevent all or most of the Frauds that could be committed in the Tobacco Trade? To which they answer'd, that it was their Opinion it would. Then he asked them, Whether or no it was their Opinion, that if the Commissioners of the Customs had the same Power over their Officers that the Commissioners of the Excise have over theirs, it would contribute a great deal towards making them more exact and more faithful in the Discharge of their Duty than they now are? And their Answer was, That they believed it would. After this, the Commissioners being withdrawn, Sir J—n went on to this Effect]

I now leave it to every Gentleman in this House to consider; what real Pretence can be formed for introducing such a dangerous Scheme, as what has been proposed to us. The only Pretence I have yet heard made Use of is, the preventing of Frauds, by which, say they, the fair Trader will be encouraged, and the Revenue encreased; but now you see, that it is the Opinion, even of the Commissioners of the Customs, that, by a due Execution of the Laws now in Being, all or most of those Frauds may be effectually prevented; and I am sure, if they can be prevented by the Laws in Being, the preventing of them by that Method will contribute much more to the Encrease of the publick Revenue, and to the Encouragement of the fair Trader, than the preventing of them by Means of the dangerous Scheme now proposed to us. I now leave it to the whole World to judge, who are they that have secret Motives which they are not willing to own, which they

dare not own, Whether it be those who are the Proposers and Promoters of this Scheme, or those who are the Opposers of it?

The learned Gentleman seemed to be surprised how our Constitution; or the Liberties of our Country came to be brought in to the present Debate; he said he thought they had no Manner of Concern in the present Question. I am sorry to differ from a Gentleman, who by his Profession ought, and who certainly does understand the Nature of our Constitution, as well as any Man in England; but I am of Opinion, that the Constitution of our Government, and the Liberty of the Subject was never more nearly or more immediately concerned in any Question, than they are in the present; they are both so deeply concerned, that their Preservation or their total Overthrow depends entirely upon the Success of the Scheme now under Consideration: If the Scheme succeeds, they must tumble of course, if the Scheme is defeated, they may be preserved; I hope they will be preserved till Time shall be no more. But I must say, that the learned Gentleman, and every Gentleman, who appears as an Advocate for the Scheme now proposed to us, is much in the Right to keep, if they can, the Constitution and the Liberties of their Country out of the Debate; it is from thence that the principal Arguments are to be formed against their Scheme; it is from thence that such Arguments may be form'd against it, as must appear unanswerable to every Man who has a Regard for either.

The Gentleman tells us, that there are but 120, or 150 Excise Officers, besides Warehouse-keepers, to be added by the Scheme now before us, and this additional Number they seem to make a Ridicule of; but considering the Swarms of Tax-gatherers we have already establish'd, this small Number (as they call it) is no trivial Matter; and I would be glad to know from those Gentlemen, what they call Warehouse-keepers, and what Number of them may be necessary? I hope they will allow, that a Warehouse-keeper appointed by the Treasury, and paid by the Treasury, is an Officer of the Revenue, as much as any other Officer whatever; and if the Number that there must be of them be added to the other, I believe we may find that the Number of Revenue-Officers to be added by this Scheme must be very considerable.

As for the new Method of Appeal proposed, I can see no Advantage that it will be of to any unfortunate Men that may have Occasion for it. In all Cases, the Charge and the Trouble of attending must be very great, and the Event very precarious; but in most Cases, where poor Retailers may have Occasion to be concerned, the Charge and Trouble of Attendance must be greater than the Subject can bear, so that all such People must submit, they must submit to the Determination of the Commissioners of Excise, and can expect no other Redress, but what they meet with from the Mercy of those Commissioners. The Judges of *Westminster-Hall* are, 'tis true, for Life, but they are all named by the Crown; I shall say nothing of the present Judges, who so worthily fill the several Benches of *Westminster-Hall*; but if they should die, and if the Crown should be resolved to use that Power which the Parliament had put into their Hands, in order to oppress the Subject, they will always find Judges fit for their Purpose; Judges are but Men, they are subject to the same Frailties that other Men are, and the Crown has always plenty of Bait wherewithal to tempt them. A Judge may be made a Lord Chief Justice, a Lord Chief Justice may be made a Lord Chancellor, and every one may have a Son, a Brother, or a Cousin to be provided for. The Crown has many Ways by which they may win over even a Judge to administer Justice according to the Directions he shall receive from Court; more especially when he is to administer Justice in a summary Way, and without the usual Forms of proceeding in Courts of Law or Equity. For by this new Method of Appeal, which has been so much bragg'd of, Care has been taken that the Subject shall not be restored to their ancient Birth-right, that is, to a Trial by Jury: No, this I find is most carefully avoided, and yet I think it must be allow'd, that it is the inherent Right of every Englishman to be tried by his Peers; I am not so much acquainted with Law as to give an Account of the several Cases in which this Method of Trial has been set aside, or the Reasons for so doing; but I will venture to say, that wherever that Method has been set aside, whether the same was done by the Wisdom of the Nation, or otherwise, such Alteration was an Innovation, and was a dangerous Encroachment upon the original Charter of our Constitution.

As to the pretended Partiality of Jurics, so much complain'd of by the learned Gentleman, it is of no Weight with me; I cannot see how that honourable Gentleman, or any Gentleman, can pretend to know what Reasons a Jury may have for giving their Verdict: No Gentleman has a Right to be believ'd upon his single Say-so, against a Verdict given by twelve honest Men upon Oath. If there have been so many Verdicts given against the Crown, as that learned Gentleman seems to insinuate, it is to me a strong Proof that Prosecutions have been set on Foot against the Subject, upon the Evidence of Witnesses, whose Credibility or Veracity have not been very much to be depended on; which is so far from being an Argument for altering the Method of Trial by Jury, that it is a very strong Argument for the Continuance of that Method in all Time to come. But as it is now very late, and as I shall probably have another Opportunity of giving my Sentiments more fully upon the Affair now before us, I shall trouble you no further at present, but only to declare, that now, after hearing this Scheme opened to us, I dislike it as much as ever I did any Representation of it that ever I heard of, and therefore shall give my Negative to the Question proposed.

M——r of the R——lls.

S I R,

AS the Affair, which is at present the Subject of our Consideration, has been much talk'd of, and variously represented without Doors, and as it has been for some Months the Subject of Conversation amongst People of all Ranks and Qualities, I was fully resolv'd to suspend my Judgment in Relation to it, 'till I should hear it fully opened and laid before this House. There were, indeed, such Clamours rais'd without Doors, and it was represented in so many hideous Shapes, that I cannot say but I came this Morning to the House, if prejudiced, rather against, than in Favour of any such Project; but still I came, as I always do, altogether undetermin'd, and resolv'd so to remain, 'till I was fully inform'd by other Gentlemen, in the Course of the Debate, of all those Facts which ought to be known before any Determination can be made in an Affair, of so great Importance.

I had before heard, that by this Scheme the Landed Gentlemen were to be eas'd of a Part of the Land Tax, that

that the publick Revenue was to be greatly improved, and that our Planters in *America*, and our fair Traders at home were to be greatly encouraged; but all these Considerations would have had no Weight with me, if I had found that so many of my Fellow Subjects were thereby to have been subjected to the grievous Laws of Excise without any Alleviation or Alteration. I must own, that the Severity of the Laws of Excise has been long justly complain'd of, but at the same Time I must say, that the many Frauds committed in that Branch of the publick Revenue now under our Consideration are most heavy and grievous, and what I cannot think of seeing the Nation suffer any longer under, without applying some proper Remedy; and since by the Proposition now made to us, there is not only an effectual Remedy provided against all those Frauds, but likewise a Method proposed, by which the Edge of the Laws of Excise is to be blunted, and that Severity taken quite off, which hitherto afforded just Ground of Complaint, therefore I cannot hesitate one Moment as to giving my Assent to what is now proposed.

This Consideration is of the greater Weight with me, and must be so with every honest Man, that by what is now proposed, the Laws of Excise are to be rectify'd, not only in the Case now before us, but in every other Case; the whole Body of those Laws are to be reform'd and rectify'd in such a Manner as to remove the greatest Objection, with me, indeed, the only Objection, could ever be made against the Extension of them; and if this Proposition be now rejected, it is not easy to know when we shall, or if we shall ever have such an Opportunity of reforming those Laws which have been so long thought so grievous. With me it hath always been a Principle to hearken to any reasonable Scheme for suppressing of those Frauds which are committed against the Publick; I look upon the Persons guilty of such Frauds as the greatest of Criminals, and if they have any Character, if they observe any Decency in private Life, I take it to be only because they have no Opportunity to do otherwise; for that Man must have a very whimsical Conscience, who cheats the Publick, and yet would scruple to cheat a private Man if he had the same Opportunity.

Whatever Resolutions we may come to in this Committee, there will probably be a Bill or Bills order'd to be brought in pursuant to them; and if in the Course
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of the Debate, any real Difficulties be started, if any reasonable Objections be made, without Doubt all proper Care will be taken, in the Framing such Bill or Bills, to obviate all those Difficulties and Objections: This I make no manner of Doubt of, and therefore I can find no Difficulty in giving my Assent to the Question proposed.

George H^{is} Majesty, Esq;

S I R,

Other Gentlemen have already fully explain'd and set forth the great Inconveniencies which must be brought on the Trade of this Nation by the Scheme now proposed to us; those have been made very apparent, and from them arises a very strong Objection against what is now proposed; but the greatest Objection arises from the Danger to which this Scheme will most certainly expose the Liberties of our Country: Those Liberties for which our Ancestors have so often ventured their Lives and Fortunes; those Liberties which have cost this Nation so much Blood and Treasure; seem already to be greatly retrenched: I am sorry to say it, but what is now in Dispute, seems to me to be the last Branch of Liberty we have to contend for; we have already establish'd a Standing Army, and have made it in a Manner, part of our Constitution; we have already subjected great Numbers of the People of this Nation to the arbitrary Laws of Excise, and this Scheme is so wide a Step towards subjecting all the rest of the People of England to those arbitrary Laws, that it will be impossible for us to recover or to prevent the fatal Consequences of such a Scheme.

We are told that his Majesty is a good and a wise Prince, we all believe him to be so; but I hope no Man will pretend to draw any Argument from thence for our surrendering those Liberties and Privileges, which have been handed down to us by our Ancestors: We have, indeed, nothing to fear from his present Majesty, he never will make a bad Use of that Power which we have put into his Hands; but if we once grant to the Crown too great an Extent of Power, we cannot recall that Grant when we have a Mind; and tho' his Majesty should never make a bad Use of it, some of his Successors may: The being govern'd by a wise and a good King, does not make the People a free People: the Romans were as great Slaves under the few good Emperors they had to reign over them, as they were

were under the most cruel of their Tyrants: After the People have once given up their Liberties, their Governors have all the same Power of oppressing them, tho' they may not, perhaps, all make the same wicked Use of the Power lodg'd in their Hands; but a Slave that has the good Fortune to meet with a good-natur'd and a human Master, is no less a Slave, than he that meets with a cruel and a barbarous one. Our Liberties are too valuable, and have been purchased at too high a Price, to be sported with, or wantonly given up, even to the best of Kings: We have before now had some good, some wise and gracious Sovereigns to reign over us, but we find that under them our Ancestors were as jealous of their Liberties as they were under the worst of our Kings: It is to be hoped that we have still the same Value for our Liberties, if we have, we certainly will use all peaceable Methods to preserve and secure them; and if such Methods should prove ineffectual, I hope there is no *Englishman* but has Spirit enough to use those Methods for the Preservation of our Liberties, which were used by our Ancestors for the Defence of theirs, and for transmitting them down to us in that glorious Condition in which we found them. There are some still alive, who bravely ventur'd their Lives and Fortunes in Defence of the Liberties of their Country; there are many whose Fathers were embark'd in the same glorious Cause. Let it never be said, that the Sons of such Men wantonly gave up those Liberties for which their Fathers had risked so much, and that for the poor Pretence of suppressing a few Frauds in the Collecting of the publick Revenues, which might easily have been suppressed without entering into any such dangerous Measures. This is all I shall trouble you with at present, but so much I thought was incumbent upon me to say, in order that I might enter my Protest against the Question now before us.

W—m P—y, Esq;

SIR,

THE honourable Gentleman who open'd this Affair to us, took up so much of the Time of the Committee, and it is now so very late, that I am almost afraid of giving you any Trouble at present; but I hope, considering the Importance of the Subject, that Gentlemen will excuse me, and will allow me to take some Notice of what has been said by the honourable Gentleman

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who introduced the Debate, and the honourable and learned Gentleman who spoke last but one. As to the Frauds which, the honourable Gentleman dwelt so long on, and which the honourable and learned Gentleman was pleased to call heavy and grievous, I believe every Gentleman in the Committee is convinced that there are such Frauds, I believe every Gentleman will agree that they are most heavy and most grievous; but I do not believe that it is but of late that the honourable Gentleman has come to the Knowledge of them, nor do I believe that the Frauds relating to Wine and Tobacco, are the only Frauds he has heard complained of; there is hardly a Gentleman in the Kingdom but has heard of Frauds in almost every Branch of the Publick Revenue; even that honourable Gentleman must have heard many Years ago of the Frauds committed in the Tobacco and Wine Trade; Why then was there no Remedy sooner proposed? How could that Gentleman see the publick Revenue, for which he expresses such a tender Concern, suffer so long by those Frauds, without proposing some Expedient for preventing them: The Expedient now proposed is certainly no such new or extraordinary Thing; it might have been thought of, I dare say it has often been thought on before this Time, but it seems it was never thought proper to propose it 'till now; at least it was never 'till now thought necessary; and yet it cannot be said, but that the Frauds both in Wine and Tobacco were as great formerly as they are at this present Time.

The honourable Gentleman has been pleased to tell us, that his Thoughts are entirely confined to the two Articles of Wine and Tobacco, and that nothing else was ever designed by him, or any of his Acquaintance, to be subjected to the Laws of Excise: Whatever his Thoughts may have been in Time past, he must excuse me if I say, that I do not believe they will be so much confined in Time to come. Are there not Frauds committed in every Branch of the publick Revenue? Will not that honourable Gentleman think himself as much bound in Duty to lay those Frauds before this House, and propose a Remedy for them, as he now thinks himself bound to expose and to offer a Remedy for preventing the Frauds in Wine and Tobacco? And if the Remedy now proposed, be deemed by Parliament the most proper and effectual Remedy for preventing the Frauds in Wine and Tobacco, will not that be made Use.

Use of as an Argument for applying the same Remedy as to the Frauds in every other Branch of the publick Revenue ? Will it not be said, You did so and so in the Case of Wine and Tobacco, why should you scruple to apply the same Remedy in the Case now before you ? So that, from the Gentleman's own Reasoning, from his own Way of Arguing as to the Case which he has been pleased now to lay before us, one may see a most plain and evident Design of a much farther Extension of the Laws of Excise ; one may clearly see a Design of subjecting every Branch of the publick Revenue to those arbitrary Laws ; only the Gentleman has a Mind, it seems, to be a little cunning, and to do it by Piece-meal.

Whatever Opinion the honourable and learned Gentleman may have of the Proposition made by his honourable Friend, it is plain it breaths nothing but the Principles of the most arbitrary and most tyrannical Governments that have been established in *Europe* : The enlarging the Power of the Crown ; increasing the Number of Dependents on the Crown ; rendering the Happiness of the Subject precarious and uncertain, and depending in a Manner entirely on the Good-Will of a prime Minister, or of those employ'd under him, are the certain Consequences of the Scheme now proposed to us ; they are the certain Consequences of all Schemes for extending the Laws of Excise, and are probably the principal Views of all those who set up such Projects. Let Gentlemen but read the political Testaments of *Richieu* and *Louvois*, those Legacies which were left by the Authors to their Master, for instructing him in the Principles of Arbitrary Government ; let Gentlemen, I say, but read those Testaments, and they will see, that the Author of this Scheme, whoever he be, must be very well versed in them ; they will see how well it agrees with the Principles there laid down for the establishing and supporting of Arbitrary Power. It is for this Reason that the *English Nation* has always been so averse to Excise Projects of all Kinds ; the very Word Excise has always been odious to the People of *England*. It is true, there has been an Excise established by Parliament, but it was first given as a Purchase for the Court of Wards and Liveries ; and tho' that Court was most justly look'd on as one of our greatest Grievances, yet the Purchase has always been reckoned too dear, and that Parliament which gave the Excise has been

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branded with the infamous Name of a *Pensionary Parliament*. Even the great King *William*, notwithstanding all he had done for the People of *England*, notwithstanding he was most generally below'd and esteem'd by his Subjects, yet he had like to have suffer'd by a Notion's prevailing among the People, that some new Excises were to have been establish'd. It was publickly said, that we had got a *Dutch King*, and that therefore we were to be saddled with *Dutch Excises*: That wise King was so sensible of the Danger he might be expos'd to by the prevailing of such a Notion, that he thought it necessary to disavow any such Intention by a publick Declaration.

I most readily believe, that the honourable and learned Gentleman over the Way comes at all Times to this House undetermined as to any Point that is to be brought before us; I believe he always comes resolved to be determined by what shall be offer'd in the Course of the Debate; but I am very much at a Loss to find out what in the present Debate has determin'd him to be of the Opinion he now seems to be of: He has, indeed, told us, that the Reformation propos'd as to the Laws of Excise, is what very much weighs with him; he says, that the Laws of Excise are to be blunted, that their Edge is to be taken off by what is now propos'd. In this, I must confess my Short-sightedness, I can see no Reformation in what is propos'd; what I look on as most grievous in the Laws of Excise is to continue the same as before: Are not the Officers to have the same oppressive and vexatious Powers continued to them? Are not the Commissioners to have the same dispensing Power with Regard to Fines and Forfeitures? Are Trials by Jury to be restored to the Subjects? No, all these Grievances are to remain on the same Footing they were on before. The Power and Influence of the Crown by Means of the Laws of Excise, is still to be as great as it was before, only there are by this Scheme many Thousands more to be subjected to it: The Method of Appeal is, indeed, to be a little alter'd, but I am afraid the Alteration will not be much for the better; the Expence will be much greater, and the Redress as precarious as ever it was before: How then are the Laws of Excise to be blunted? Where is this Reformation so much boasted of, and on which that honourable and learned Gentleman seems solely to ground his Opinion? But it seems he expects, that when this Proposition comes

comes to the Length of a Bill, many fine Things are to be done, many more Things than we have ever yet heard of: If it should come to the Length of a Bill, which I am in great Hopes it never will, he may very probably find himself disappointed; and if that should be the Case, I doubt not but he will be of a different Opinion.

Gentlemen have said, that there are no Complaints made of the Laws of Excise, or of the Oppressions of Excise-Officers; but I believe there is ne'er a Gentleman in this House, who cannot give some Instances, even within his own Knowledge, of most cruel Oppressions committed by some of those Officers; I am sure there is no Gentleman who has ever acted in the Country as a Justice of Peace, but can give hundreds of such Instances. The People have complained so often, and so long, of the Severity of those Laws, and the Vexations of those Officers, that they are now weary of complaining. To what Purpose should they complain, since they see there has never as yet been any Provision made for their Redress? Their Complaints have been hitherto disregarded, even by those who are in some Manner bound to take Notice of them.

The honourable Gentleman was pleased to dwell long on the Generosity of the Crown in giving up the Fines, Forfeitures, and Seizures to the Publick; but in my Opinion it will be but a poor Equivalent for the many Oppressions and Exactions which the People will be exposed to by this Scheme. I must say, that the honourable Gentleman has himself been of late mighty bountiful and generous in his Offers to the Publick. He has been so gracious to ask us, Will you have a Land-Tax of two Shillings in the Pound, or a Land-Tax but of one; or will you have no Land-Tax at all? Will you have your Debts paid? Will you have them soon paid? Tell me but what you want, let me but know how you can be made easy, and it shall be done for you. These are most generous Offers, but there is something so very extraordinary, there is something so farcical in them, that really I can hardly mention them, without laughing; It puts me in Mind of the Story of Sir Epicure Mammon in the *Alchymist*. He was gull'd out of his Money by fine Promises; he was promised the Philosopher's Stone, by which he was to get Mountains of Gold, and every Thing else he could desire;

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but all ended at last in *some little Thing for curing the Itch.*

I wish the Gentlemen who appear so zealous for this Scheme, would have some little Regard to their Constituents. It is well known that it was the Custom among our Ancestors, when any new Device was proposed, to desire Time to have a Conference with their Countries : I am but very little conversant in Books of Law, however I sometimes look into them, and I must beg Leave to read a Passage or two on this Subject from my Lord Coke. That great Lawyer, in the 4th Part of his Institutes, Page 14, says, *It is also the Law and Custom of the Parliament, that when any new Device is moved on the King's Behalf, in Parliament, for his Aid, or the like, the Commons may answer, that they tendered the King's Estate, and are ready to aid the same, only in this new Device they dare not agree without Conference with their Countries ; whereby it appeareth, that such Conference is warrantable by the Law and Custom of Parliament.* And again, in Page 34, he tells us, *At the Parliament holden in 9 Edw. 3. when a Motion was made for a Subsidy of a new Kind, the Commons answer'd, that they would have Conference with those of their several Countries and Places, who had put them in Trust, before they treated of any such Matter.* If such a Conference was ever necessary upon any Occasion, it is surely necessary before we agree to the Device now offered to us ; a Device which, in my Opinion, strikes at the very Root of our Liberties ; it is, in my Way of Thinking, a downright Plan for arbitrary Power, and in this I am not singular, for there seems to be many Gentlemen of the same Opinion within Doors as well as without ; therefore I must think that it is necessary, it is incumbent upon every Gentleman in this House, at least to desire to have a Conference with his Constituents, before he agrees to any such Device : This would have been necessary, if we had been entirely ignorant of the Sentiments of our several Countries ; but indeed in the present Case, such a Conference seems to be quite unnecessary ; we already know the Sentiments of our Constituents in Relation to the Device now offered to us ; the whole Nation has already, in the most open Manner, declared their dislike to it, and therefore I hope the Gentlemen of this Committee will reject it with that Scorn and Contempt it deserves.

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Sir W——m W——m.

S I R,

THOUGH it be now very late, yet I must beg Leave to offer my Sentiments upon the Question now in Debate; for it is a Question of such Importance, that I should not think I discharged the Duty I owe to my Country without declaring in the most open and publick Manner, my Dislike and Abhorrence of the Scheme which has been now opened to us. The Scheme, as now explained to us, has, in my Opinion, been no Way misrepresented. It is the very same with what has been represented to us, it is the very same with that which the Nation has so openly and so generally declared their Dislike to; it is fraught with all those Evils which were ever attributed to it, and most apparently strikes at the very Fundamentals of our Constitution. The Collecting of any Duties by the Laws of Excise, has, in all Ages, and in all Countries, been looked on as the most grievous and most oppressive Method of collecting of Taxes, and if one Method of raising an Excise can be more oppressive than another, it must be granted, that the Method now proposed to us, of raising this new Excise, must of all Methods be the most oppressive, and the most vexatious to the People: In all Countries, Excises of every Kind are look'd on as Badges of Slavery; and though the *English* Nation be now unfortunately subjected to some of them, yet I hope they will never consent to any new Excises, or to any new Extention of the Laws of Excise, let the Pretences for so doing be ever so specious.

But in the present Case, let us consider what are the specious Pretences made Use of, what are the great Advantages proposed for persuading us to consent to the subjecting of so many of his Majesty's faithful Subjects to be plagued and harrassed by the Officers of Excise. The suppressing of Frauds, and the Advantages that will accrue therefrom to the Publick and to the fair Trader, is, by what I can find, the only Pretence now made Use of; and yet those Frauds, even aggravated as they were by the honourable Gentleman who proposed this Scheme to us, do amount to a meer Trifle; so that the Improvement to be made as to the publick Revenue, will be but very inconsiderable, if any at all, after deducting the additional Charges of Management, which the Publick will become liable to by the great Increase of

of Officers: This Pretence therefore, even when set in the strongest Light, can be no sufficient Argument for prevailing on us to expose our Constitution to the least Danger, or to subject any of our fellow Countrymen to great Hardships; but this Pretence is still more frivolous, since it has been made appear to us, that those Frauds are not at all so considerable as they have been represented; that all Sorts of Frauds cannot be prevented even by the Scheme now proposed, and that many of those Frauds that have been lately committed, might be prevented by the Laws now in Being, if Care were taken to have proper Officers, and to make those Officers diligent and faithful. I grant, indeed, that the Power and Influence of the Crown will be greatly increased and improved by this Scheme; I must own, that great Numbers of the People of this Nation will thereby be render'd most submissive and obedient to those that shall hereafter be employ'd by the Crown; and if this be a Motive for agreeing to this Scheme, I must allow that it is a strong one, I believe, indeed, that it is the only real one that any Gentleman can have for giving his Consent to such a Scheme; but with me it is so far from being a Motive for giving my Consent, that it is the strongest Motive I have for giving my Negative to the Question now before us, because I think it absolutely inconsistent with our Constitution.

'Tis true, an Ease to the Landed Interest has upon this, as well as upon some other late Occasions of the like Nature, been thrown out, as a Bait for some Gentlemen; but I hope the Landed Gentlemen are not to be caught by such Baits; the Hook appears so plain, that it may be discover'd by any Man of common Sense; however, I must say, that the Method of arguing is unfair, the Design is wicked, for it is an Endeavour to set the Landed Interest in a Manner at War with the Trading Interest of the Nation; it is endeavouring to destroy that Harmony which always ought to subsist among the People of the same Nation, and which if once destroy'd, would certainly end in the Ruin and Destruction of the whole. But every Landed Gentleman in England will do well to consider what Value their Lands would be of, if for the Sake of a small and immediate Ease to themselves, they should be induced to oppress and destroy the Trade of their Country; and whoever considers this, will despise all such Projects, and reject them with that Contempt which they deserve:

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This is one Reason for the Landed Gentlemen not to accept of the pretended Ease now offer'd to them by agreeing to the Scheme now propos'd; but there is another strong Reason against it: This House of Commons is mostly compos'd of Gentlemen of the best Families and greatest Properties perhaps in the Nation, they have generally a great Family Interest in the several Counties, Cities, and Boroughs they represent; if this Scheme should take Effect, that Interest will soon be destroy'd; and surely no Man will agree to a Scheme which must inevitably destroy the natural Interest the great Families have, and always ought to have, in their respective Counties, and transfer the whole to the Crown: If this Scheme should once be establish'd, the Power and Influence of the Crown will be so great in all Parts of the Nation, that no Man can depend upon the natural Interest he has in his Country for being a Member of this House, he must in all future Times, for such a Favour, depend entirely upon the Crown, and this, I hope, there is no Gentleman in this House would chuse to submit to.

Queen *Elizabeth*, that wise and gracious Princess, govern'd herself by Politicks quite different from those which seem to be at present in Vogue; she was so far from endeavouring to divide or throw Discord among her Subjects, that she wisely never gave herself up to any one Minister, or to any one Party; she always preserved a Harmony among all her Subjects, and kept a friendly Correspondence with all Parts and all Parties in the Kingdom; she even kept up a constant Personal Correspondence with some of the principal Men in every County, by which she had always a thorough Knowledge of the several Sentiments as well as Circumstances of all her Subjects, and most prudently adapted all her Measures to what she found to be the Sentiments of the Generality of the Nation; more particularly she took Care to avoid every Thing that appeared to be disagreeable to the People: To this wise Policy it is owing, that her Reign makes such a glorious Figure in our *English* History; to this it is owing, that she reign'd with more Popularity than any Prince since her Time, except her Royal Successor Queen *Anne*: Thus she reigned, and reign'd absolutely; but so as I could wish every Prince in *England* to do; she reign'd absolutely over the Hearts and Affections of her Subjects, and

thereby she had both their Persons and their Purfes always at Command.

They ask, Why do you complain of this Scheme? Here is no new Tax to be imposed; there is nothing proposed but only a new Method of raising those Taxes which are already due by Law: But I would have Gentlemen remember, that this Nation has once already been more grievously oppressed by a new Method of raising and collecting that Money that was before due by Law, than they ever were by any new Tax that was ever laid on them; I have already mention'd the Reign of Queen *Elizabeth*; let us but look a little further back, and we shall find that the People were most terribly harrassed, and the Nation almost destroy'd, by a grievous Method of collecting and raising that which was due by the Laws then in Being. *Empson* and *Dudley*, those two noted Ways and Means Men, those two wicked Ministers knowing the Avarice of their Master, and the insatiable Desire he had for Money, concluded that no Scheme would be more agreeable to him than those which would fill his Coffers by draining the Purfes of his Subjects; and this they did, without imposing any new Taxes, they laid no new or illegal Burdens on the People, they did it by a severe and rigorous Execution of the Laws that had before been enacted: But what was their Fate? They had the Misfortune to outlive their Master, and his Son, as soon as he came to the Throne, took off both their Heads. In this he did justly, tho' he did it against Law; they had done nothing contrary to Law, they had only put the Laws severely in Execution, and what they did was in Obedience to the Command of the King his Father; yet that could be no Excuse for them, their Manner of executing those Laws was so grievous and oppressive upon the Subjects, that nothing less than their Lives could be admitted of as a sufficient Attonement to the People; and certainly, that Oppression which is committed under the Sanction of the Laws, or of the Royal Authority, must always be deemed the most heinously criminal, and ought to be the most severely punish'd.

There never was in any Reign a Scheme or Project attempted so much to the Dislike and Dissatisfaction of the People in general; the whole Nation has already so openly declared their Aversion to the Scheme now offered to us, that I am surprized to see it insisted on; the very proposing of such a Scheme to a House of Commons,

Commons, after so many Remonstrances against it, I must think most audacious ; it is in a Manner flying in the Face of the whole People of *England* : And since they have already declared against it, God forbid that we who are their Representatives should declare for it.

Mr. C——r of the Ex——r.

S I R,

AS I was obliged, when I opened the Affair now before us, to take up a great deal of your Time, I then imagined that I should not have been obliged to have given you any farther Trouble ; but when such Things are thrown out, Things which in my Opinion are quite foreign to the Debate ; when the ancient Histories, not only of this, but other Countries, are ransack'd for Characters of wicked Ministers, in order to adapt them to the present Times, and to draw Parallels between them and some modern Characters, to which they bear no other Resemblance than that they were Ministers, it is impossible for one to sit still ; of late Years, I have dealt but little in the Study of History, but I have a very good Prompter by me, [meaning Mr. A——y G——l] and by his Means I can recollect, that the Case of *Empson* and *Dudley*, mention'd by the honourable Gentleman who spoke last, was so very different from any Thing that can possibly be presumed from the Scheme now before us, that I wonder how it was possible to lug them into the Debate. The Case as to them was, that they had by Virtue of old and obsolete Laws, most unjustly extorted great Sums of Money from People, who, as was pretended, had become liable to great Pains and Penalties, by having been guilty of Breaches of those obsolete Laws, which for many Years before had gone entirely into Disuse. I must say (and I hope most of those that hear me, think) that it is very unjust and unfair to draw any Parallel between the Characters of those two Ministers and mine, which was, I suppose, what the honourable Gentleman meant to do, when he brought that Piece of History into the Debate. If I ever endeavour to raise Money from the People, or from any Man whatever by oppressive or illegal Means, if my Character should ever come to be in any Respect like theirs, I shall deserve their Fate : But while I know myself to be innocent, I shall depend upon the Protection of the Laws of my Country ; as long as they can protect me I am safe ;

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and if that Protection should fail, I am prepared to submit to the worst that can happen. I know that my political and ministerial Life has by some Gentlemen been long wished at an End, but they may ask their own disappointed Hearts, how vain their Wishes have been; and as for my natural Life, I have lived long enough to learn to be as easy about parting with it as any Man can well be.

As to those Clamours which have been raised without Doors, and which are now so much insisted on, it is very well known by whom and by what Methods they were raised, and it is no difficult Matter to guess with what Views; but I am very far from taking them to be the Sense of the Nation, or believing that the Sentiments of the Generality of the People were thereby expressed. The most Part of the People concerned in those Clamours, did not speak their own Sentiments, they were plaid by others like so many Puppets; it was not the Puppets that Spoke, it was those behind the Curtain that plaid them, and made them speak whatever they had a-mind.

There is now a most extraordinary Concourse of People at our Door; I hope it will not be said, that all those People came there of themselves naturally, and without any Instigation from others, for to my certain Knowledge, some very odd Methods were used to bring such multitudes hither; circular Letters were wrote and sent by the Beadles in the most publick and unprecedented Manner, round almost every Ward in the City, summoning them upon their Peril to come down this Day to the House of Commons: This I am certain of, because I have now one of those Letters in my Pocket, signed by a Deputy of one of the greatest Wards in the City of *London*, and sent by the Beadle to one of the Inhabitants of that Ward, and I know that such Letters were sent in the same Manner almost to every Liveryman and Tradesman in that Ward. By the same Sort of unwarrantable Methods have the Clamours been raised almost in every other Part of the Nation.

Gentlemen may say what they please of the Multitudes now at our Door, and in all the Avenues leading to this House; they may call them a modest Multitude if they will; but whatever Temper they were in when they came hither, it may be very much alter'd now, after having waited so long at our Door: It may be a very easy Matter for some designing seditious Person to

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raise a Tumult and Disorder among them, and when Tumults are one begun, no Man knows where they may End; he is a greater Man than any I know in the Nation, that could with the same Ease appease them; for this Reason I must think that it was neither prudent nor regular to use any Methods for bringing such Multitudes to this Place, under any Pretence whatever. Gentlemen may give them what Name they think fit, it may be said that they came hither as humble Suppliants, but I know whom the Law calls sturdy Beggars, and those who brought them hither could not be certain but that they might have behav'd in the same Manner.

Sir *J—n B—d* then got up to speak, but there being some Disorder in the Committee, and the Question loudly call'd for, Sir *J—n H—d C—n* got up and spoke thus:

TO Order, Sir, I hope you will call Gentlemen to Order; there is now a Gentleman up to speak, a Gentleman who speaks as well as any Gentleman in this House, and who deserves Attention as much as any Gentleman that ever spoke in this House: Besides, he is one of the Representatives of the greatest and richest City in *Europe*, a City which is greatly interested in this Debate, and therefore he must be heard; and I desire, Sir, that you will call to Order, that the Committee may shew him at least that Respect that is due to every Gentleman who is a Member of this House.

After which, the Committee being called to Order, Sir *J—n B—d* went on in Substance as follows:

S I R,

I Know of no irregular or unfair Methods that were used to call People from the City to your Door; it is certain that any Set of Gentlemen or Merchants may lawfully desire their Friends, they may even write Letters, and they may send those Letters by whom they please, to desire the Merchants of Figure and Character to come down to the Court of Requests, and to our Lobby, in order to solicit their Friends and Acquaintance against any Scheme or Project which they think may be prejudicial to them. This is the undoubted Right of the Subject, and what has been always practised upon all Occasions. The honourable Gentle-

man talks of sturdy Beggars, I do not what Sort of People may be now at our Door, because I have not lately been out of the House; but I believe they are the same Sort of People that were there when I came last into the House, and then I can assure you that I saw none but such as deserve the Name of *Sturdy Beggars* as little as the honourable Gentleman himself, or any Gentleman whatever. It is well known that the City of London was sufficiently apprised of what we were this Day to be about; where they got their Information I do not know, but I am very certain that they had a right Notion of the Scheme which has been now opened to us; and they were so generally and zealously bent against it, that whatever Methods may have been used to call them hither, I am sure it would have been impossible to have found any legal Methods to have prevented their coming hither.

There were several other Gentlemen spoke both for and against the Scheme, and at last the Question was put upon the Motion made by Mr. Chancellor of the Exchequer, whereupon they came to a Division; and as this Affair will make a great Figure in the History of our Times, we cannot omit giving our Readers the most correct List we could procure, of those who voted on each Side of the Question.

LIST of those who voted for the Question, and consequently for the Excise Schemes.

T. Winnington, for Droitwich in Worcestershire, one of the Lords Commissioners of the Admiralty, Teller.

A LSTON Sir Rowland, Bedfordshire.

Andrews Townshend, Hindon, Deputy Paymaster.
Anstruther Sir John, Fife-shire, Master of the King's Works in Scotland.

Anstruther Philip, Anstruthur, &c. Colonel of a Regiment, and since made Deputy-Governor of Minorca.

Arundel Hon. Richard, Knaresborough, Yorkshire, Surveyor-General of the Works.

Ashe Edward, Heytsbury, Wilts. Com. of Trade.

Ashburnham Sir William, Hastings, Suffex, Chamberlain of the Exchequer, and Commissioner of the Alienations.

Austen Sir Robert, New Romney, Kent.

Bacon Waller, Norwich, Commissioner at Minorca.

Bacon

Bacon Sir Edmund, Thetford, Norfolk, hath a Grant of
Crown-Lands at Chatham, and a Brother in the Customs.

Baker Hercules, Hythe, Kent, Captain in the Navy.

Bateman William, Lord Viscount Leominster.

Beauclerk Lord Vere, Windsor, Commissioner of the Navy,
and Captain of a Man of War.

Bennet Thomas, Nottinghamshire.

Berkeley Hon. Henry, Gloucestershire, Colonel of Horse-
Grenadiers.

Bladen Martin, Stockbridge, Commissioner of Trade.

Bladen Thomas, Steyning, Suffex, Nephew to M. Bladen.

Bond John, Corf-Castle, Dorsetshire.

Bradshaigh Sir Roger, Wigan, Lancashire.

Bridgman Sir Orlando, Bletchingly, Surrey, Commissioner
of Trade.

Bristow Robert, Winchelsea, Suffex, Clerk of the Green-
Cloth.

Britiffe Robert, Norwich.

Brodie Alexander, Elginshire, Lyon King at Arms.

Bromley Henry, Cambridgeshire.

Brooksbank Stamp, Colchester, Director of the Bank.

Brudenell Hon. James, Andover, Hants, Commissioner of
Trade, and since made Groom of the Bedchamber.

Burchett Josiah, Sandwich, Kent, Secretary of the Ad-
miralty.

Burton William, Rutland.

Butler James, Suffex.

Byng Hon. Robert, Plymouth, Devon, Commissioner of the
Navy.

Campbell John, Pembrokeeshire,

Campbell John, Dunbartonshire, Groom of the Bedcham-
ber to his Majesty.

Campbell John, Edinburgh City.

Campbell Sir James, Shire of Argyle.

Campbell Daniel, Glasgow, &c. His eldest Son is a Com-
missioner of the Customs, and another Son Receiver Gen-
eral in Scotland.

Campbell Peter, Burgh of Elgin, &c. an Officer in the
Household, and since made Deputy-Governor of Portf-
mouth.

Carey Walter, Clifton, Dartmouth, &c. Clerk of the
Council, and Secretary to the Lord Lieut. of Ireland.

Carr William, Newcastle on Tyne.

Carnarvon Marquess of, Hereford, Lord of the Bed-cham-
ber to the Prince.

Chamberlayne George, Buckingham.

Cholmondeley

- Cholmondeley James, Boshay, Cornwall, Major of the Horse Guards, and Governor of Chester Castle.
 Churchill Charles, Castle-rising, Norfolk, Colonel of a Regiment of Dragoons, and Governor of Plymouth.
 Clarke Sir Thomas, Hereford.
 Clayton Sir William, Bletchingly, Surrey.
 Clayton William, Westminster, Lord of the Treasury.
 Clifton Sir Robert, Retford, Nottinghamshire.
 Clutterbuck Thomas, Leskard, Cornwall, Lord of the Admiralty.
 Cockburne John, Shire of Haddingtoun.
 Conduit John, Whitechurch, Southampton, Master Worker of the Mint.
 Cope Sir John, County of Southampton.
 Cope John, Leskard, Cornwall, Colonel of a Regiment.
 Copleston Thomas, Kellington, Cornwall, hath a Place in Ireland.
 Corbet William, Montgomery, Flintshire.
 Cornwallis Hon. John, Eye, Suffolk, Equerry to the Prince.
 Cornwallis Hon. Col. Stephen, Eye, Suffolk, Colonel of a Regiment.
 Cotton Sir Robert Salisbury, Cheshire.
 Cracherode Anthony, Leftwithiel, Cornwall, Joint Solicitor to the Treasury.
 Croft Sir Archer, Boralston, Devonshire, Commissioner of Trade.
 Crosse John, Wotton-basset, Wilts.
 Crowle George, Kingston on Hull, Commissioner of Victualling.
 Cunningham Henry, Shire of Stirling, Commissioner of the Musters in Scotland.
 Danvers Joseph, Bramber, Suffex.
 Darcy Sir Conyers, Richmond, Yorkshire, Comptroller of the Household.
 Dominique Paul, Gatton, Surrey, Commissioner of Trade.
 Doddington George, Bridgwater, Somersetshire, Lord of the Treasury.
 Douglas Robert, Orkney and Zetland, an Officer in the Army.
 Downing Sir George, Dunwich, Suffolk.
 Drummond John, Burgh of Perth, Director of the East-India Company, and Commissary for settling Commerce.
 Duckett William, Cain, Wilts, Major of the Horse Grenadiers.
 Dunbar Patrick, Bute and Caithness.
 Duncombe Anthony, New Sarum.

Earle

Earle Gyles, Malmesbury, Wilts, *Clerk of the Green-Cloth.*

Earle Capt. William Rawlinson, Malmesbury, Wilts, *since made Clerk of the Ordnance.*

Edgcombe Richard, Plympton, Devon, *Vice-Treasurer of Ireland.*

Edwards Samuel, Wenlock, Salop, *Under-teller of the Exchequer.*

Eliot Richard, St. Germaine, Cornwall, *Auditor General to the Prince.*

Erskine Thomas, Burgh of Stirling, *Captain in the Army.*

Erskine Charles, Shire of Dumfries, *Solicitor General for Scotland.*

Evans Richard, Queenborough, Kent, *Deputy Governor of Shoerness, and Captain of Dragoons*

Evelyn John, Helston, Cornwall, *Groom of the Bed-chamber to the Prince.*

Eversfield Charles, Horsham, Suffex.

Eyles Francis, Devises, *Captain in the Army.*

Fane John, Buckingham, *Captain of a Troop of Horse.*

Fane Francis, Taunton, Somersetshire, *Solicitor to the Prince.*

Farrington Thomas, St. Michael Cornwall, *Receiver of the Revenue of Wales.*

Finch Hon. Henry, Malton, Yorkshire.

Fitzroy Charles, Thetford, Norfolk, *Cornet and Master of the Tennis-Court.*

Fitzwilliams Viscount, Fowey, Cornwall.

Forbes Duncan, Fortrose, Inverness, &c. *Lord Advocate for Scotland.*

Forbes Sir Arthur, Aberdeenshire.

Fortescue William, Newport, Hants, *Secretary to the Chancellor of the Exchequer.*

Fox Stephen, Shaftsbury, Dorsetshire.

Frankland Sir Thomas, Thirsk, Yorkshire, *Lord of the Admiralty.*

Gage Sir William, Seaford, Suffex.

Gallway Lord Viscount, Clithero, Lancashire.

Gibson Thomas, Marlborough, Wilts, *Scrivener to Sir Robert Walpole.*

Glenorchy Lord Viscount, Saltash, Cornwall, *Envoy to the Court of Denmark.*

Gough Sir Henry, Totness, Devonshire.

Gould Nathaniel, Wareham, Dorsetshire.

Gould John, Shoreham, Suffex.

Grant Sir James, *Shire of Inverness, two Brothers, Officers in the Army.*

Gregory George, *Boroughbridge, Yorkshire, Storekeeper of the Ordnance.*

Griffith John, *Carnarvon, Captain in the Army.*

Grimston William *Lord Viscount, St. Albans.*

Hales Thomas, *Camelford, Cornwall, Clerk of the Green-Cloth.*

Hales Sir Thomas, *Canterbury, Kent.*

Hamilton Alexander, *Shire of Linlithgow, Secretary to the Prince of Wales for Scotland.*

Hamilton Lord Archibald, *Lanarkshire, Lord of the Admiralty.*

Hamilton John, *Wendover, Bucks.*

Handasyd Roger, *Huntingdon, Colonel of a Regiment.*

Harbord Harbord, *Norfolk.*

Harris John, *Helston, Cornwall.*

Harrison George, *Hertford.*

Heathcote Sir John, *Bodmin, Cornwall.*

Hedges John, *Bossiny, Cornwall, Treasurer to the Prince.*

Henley Henry Holt, *Lyme, Dorsetshire, Clerk of the Pipe.*

Herbert Henry Arthur, *Ludlow, Salop.*

Herbert Hon. Robert, *Wilton, Wilts, Commissioner of the Revenue in Ireland.*

Heron Patrick, *Kirkbright Stewarty.*

Hervey John Lord, *St. Edmund's Bury, Suffolk, Vice-chamberlain to the King's Household, and since made a Peer.*

Hinxman Joseph, *Christchurch, Southampton, Woodward of the New Forest.*

Houghton Sir Henry, *Preston, Lancashire.*

Hope Thomas, *Maidstone, Kent.*

Hosie James, *Bramber, Suffex, Cousin to Sir R. Walpole.*

Hotham Sir Charles, *Beverly, Yorkshire, Colonel of a Regiment, and Groom of the Bed-chamber.*

Howard Charles, *Carlisle, Cumberland, Colonel of the Guards.*

Howarth Sir Humphry, *Radnorshire.*

Hucks William, *Wallingford, Berks, Brewer to the King's Household.*

Hucks Robert, *Abingdon, Berks, his Son.*

Huxley George, *Newport, Hants, Muster-Master General.*

Jekyll Sir Joseph, *Rygate, Surrey, Master of the Rolls.*

Jennings Sir John, *Rocheester, Kent, Governor of Greenwich Hospital.*

Ingoldesby Thomas, *Aylesbury, Bucks.*

Ingram

- Ingram Henry, Horsham, Suffex, *Commissioner of the Stores at Gibraltar.*
 Jewks John, Bridport, Dorset.
 Kelfal Henry, St. Michael, Cornwall, *Clerk of the Treasury.*
 Knight John, Sudbury, Suffolk.
 Knollys Henry, St. Ives, Cornwall.
 Lane Sir Richard, Worcester, *whose Son is Commissioner of Hawkers and Pedlars.*
 Laroche John, Bodmin, Cornwall.
 Leathes Carteret, Sudbury, Suffolk.
 Leheup Isaac, Grampound, Cornwall, *Brother in Law to Horatio Walpole.*
 Lewis Thomas, Radnor: *His Brother has a good Place in the Customs.*
 Lewis Thomas, New Sarum, Hants.
 Liddell George, Berwick.
 Lisburne Lord Viscount, Cardiganshire.
 Lockyer Charles, Ilchester, Somerset, *Gentleman of the Privy Chamber.*
 Lloyd Richard, Cardigan.
 Lloyd Philip, Christchurch, Hants, *Capt. of Dragoons.*
 Longueville Charles, Eastlow, Cornwall, *Auditor to the Queen.*
 Lowther Sir William, Pontefract, Yorkshire.
 Lowther Hon. Anthony, Westmoreland, *Commissioner of the Revenue in Ireland.*
 Lumley John, Arundel, Suffex.
 Lyttleton Sir Thomas, Worcestershire, *Lord of the Admiralty.*
 Malpas Lord Viscount, Windsor, Berkshire, *Master of the Horse to the Prince.*
 Mannets Lord William, Leicestershire, *Lord of the Bedchamber to the King.*
 Martin Thomas, Wilton, Wilts.
 Medlycott Thomas, Milbourn-Port, Somersetshire, *Commissioner of the Revenue in Ireland.*
 Meredith Sir Roger, Kent, *An Officer of Dover-Castle.*
 Micklethwait Lord, Kingston on Hull.
 Middleton John, Aberdeen, Montrose, &c. *Colonel of a Regiment.*
 Mill Sir Richard, Midhurst, Suffex.
 Monro Sir Robert, Kirkwall, Tain, &c. *His Brother is Captain of an Independent Company.*
 Monro John, Rossshire.
 Monson George, Great Grimsby, Lincoln.]

- Montagu Hon. Edward, Northampton, *Colonel of a Regiment, and Governor of Hull.*
 Mordaunt John, Pontefract, Yorkshire, *Sol. of the Guards.*
 More Robert, Bishop's Castle, Salop.
 Morgan Thomas, *Town of Brecon.*
 Morton Matthew Ducie, Tregony, Cornwall.
 Murray John, Selkirk, Peebles, &c.
 Nasmith Sir James, *Shire of Peebles.*
 Neale John, Coventry, *Husband to one of the Queen's Bed-chamber Women.*
 Nicoll Sir Charles Gounter, Peterborough, Northamp.
 Norton Thomas, Edmond's-bury, Suffolk, *Lieutenant-Governor of Chelsea-College.*
 Offley Crew, Bewdley, Worcestershire, *Gentleman of the Privy-chamber.*
 Onslow Arthur, (Speaker) Surrey, *Chancellor to the Queen,*
 Onslow Richard, Guilford, *Colonel of the Guards, and Adjutant-General.*
 Orlebar John, Bedford.
 Owen Williams, Pembroke-Town.
 Oxendon Sir George, Sandwich, Kent, *Lord of the Treasury.*
 Papillon David, Rumney, Kent.
 Parsons Henry, Malden, Essex, *Commissioner of Victualing, and Purveyor of Chelsea-College.*
 Pearse Thomas, Weymouth, Dorsetshire, *Commissioner of the Navy.*
 Pierse Henry, Northallerton, Yorkshire.
 Pelham Hon. Henry, Suffex, *Paymaster-General of the Army.*
 Pelham Thomas, Lewis, Suffex, *Commissioner of Trade.*
 Pelham Thomas, Lewis, Suffex, *Secretary to the Embassy in France.*
 Pelham James, Newark, Nottinghamshire, *Secretary to the Prince, and to the Lord Chamberlain.*
 Pelham Thomas, jun. Hastings, Suffex.
 Percival Lord Viscount, Harwich, Essex.
 Piers Sol. William, Wells, Somersetshire.
 Pitt John, Camelford, Cornwall, *Colonel of the Guards.*
 Pitt Thomas, Oakhampton, Devon.
 Polhill David, Rochester, Kent, *Keeper of the Records in the Tower.*
 Powlett Lord Harry, Southamptonsh. *since made a Lord of the Admiralty.*
 Powlett William, Lymington, Southampton.
 Powlett Norton, sen, Petersfield, Hants.

Powlett

- Powlett Norton, *jun.* Winchester.
 Powlett Charles Armand, Newton, Hants, *Lieutenant-Colonel of Horse-Grenadiers.*
 Price Uvedale, Weobly, Herefordshire.
 Pulteney Henry, Heydon, Yorkshire, *Colonel of the Guards, and Equerry to the King.*
 Purvis George, Aldborough, Suffolk, *Capt. in the Navy.*
 Ramsden John, Apulby, Westmoreland.
 Reade Sir Thomas, Cricklade, Wilts, *Clerk of the Green Cloth.*
 Reade George, Tewksbury, Gloucestershire, *Major of the Guards.*
 Rich Sir Robert, St. Ives, Cornwall, *Colonel of Horse, and Groom of the Bedchamber to the King.*
 Rider Dudley, St. Germans, Cornwall.
 Roberts Gabriel, Chippenham, Wilts.
 Robinson Sir Thomas, Thirsk, Yorkshire.
 Rutherford James, Selkirkshire, *Commissary of Peebles.*
 St. Quintin Matthew, Chitty, Old Sarum.
 Saunders Sir George, Queenborough, *Com. of the Navy.*
 Scot Robert, Forfarshire.
 Scrope Hon. John, Bristol, *Secretary of the Treasury.*
 Selwyn John, Whitchurch, Hants, *Treas. to the Queen, &c.*
 Shannon Lord Viscount, Grinstead, Suffex, *Captain of a Troop of Guards.*
 Shaw Sir John, Renfrewshire, *Com. for preventing the Importation of Irish Meal into Scotland.*
 Shelly Sir John, Arundel, Suffex. *His Brother one of the Commissioners of the Salt-Duty.*
 Sinclair James, Dysart, Kirkaldie, &c. *Major of a Regiment of Foot Guards.*
 Sloper William, Great Bedwin, Wilts, *Deputy Cofferer.*
 Smelt Leonard, Northallerton, Yorkshire, *Clerk of the Ordnance.*
 Speke George, Taunton, Somersetshire.
 Stanhope Charles, Aldborough, Yorkshire.
 Stewart William, Air, Irwin, &c. *Paymast. of the P-n-n-s.*
 Sutherland Hon. William, Sutherlandshire.
 Sutton Richard, Newark, Nottinghamshire, *Colonel of a Regiment, and since Governor of Guernsey.*
 Talbot Charles, Durham, *Solicitor General.*
 Thompson William, Scarborough, Yorkshire, *Commiss. for Visqualling.*
 Thompson Richard, Reading, Berks.
 Thornhill Sir James, Melcomb, Dorset. *King's Painter.*
 Tilson Christoph. Cricklade, Wilts, *Clerk of the Treasury.*

- Towers Christopher, Lancaster, *Reversionary Auditor of the Impress.*
- Towers Thomas, Wareham, Dorsetshire, *Reversionary Auditor of the Impress.*
- Townshend Hon. Horatio, Heytsbury, Wilts.
- Townshend Hon. Thomas, Cambridge University, *Teller of the Exchequer.*
- Treby George, Clifton, Dartmouth, &c. *Master of the Household.*
- Trenchard George, Pool, Dorsetshire.
- Tuffnel Samuel, Colchester, *Commissioner for settling Commerce.*
- Turner Sir Charles, Lynn, *Teller of the Exchequer.*
- Tylney Earl, Essex.
- Tyrconnel Lord Viscount, Grantham, Lincolnshire.
- Tyrrel James, Boroughbrig, Yorkshire, *Colonel of a Regiment.*
- Vincent Harry, Guilford.
- Wade Gen. George, Bath, *Colonel of a Regiment of Horse, and since made Governor of Fort William.*
- Wager Sir Charles, Portsmouth, Hants, *First Lord of the Admiralty.*
- Walker Thomas, Westlow, Cornwall, *Surveyor General of his Majesty's Land-Revenues.*
- Walpole Right Hon. Sir Robert, Lynn, Norfolk, *Chancellor of the Exchequer, and Lord of the Treasury.*
- Walpole Horatio, Yarmouth, *Cofferer and Auditor of the Plantations.*
- Walpole Edward, Lestwithiel, Cornwall, *Son of Sir Robert, Joint Secretary of the Treasury, and Collector Inwards of the Customs.*
- Walter Peter, Winchelsea, Sussex, *Clerk of the Peace for the County of Middlesex, &c.*
- Wardour William, Calne, Wilts.
- Wentworth Sir William, Malton, Yorkshire.
- White Thomas, Retford, Nottinghamshire.
- Whitworth Francis, Minehead, Somersetshire, *Surveyor of his Majesty's Woods.*
- Willcs John, Westlow, Cornwall, *Ch. Justice of Chester.*
- Williams Sir Nicholas, Carmarthenshire.
- Williams Hugh, Anglesea.
- Wills Sir Charles, Totness, Devonshire, *Col. of a Regiment of Guards, and Lieut. Gen. of the Ordnance.*
- Wollaston William, Ipswich.
- Wyndam Thomas, Pool, Dorsetshire, *Cousin to Mr. Doddington.*

Wynn

Wynn Thomas, Carnarvon, *Glerk of the Green-Cloth.*
 Yonge Sir William, Honiton, Devonshire, *Lord of the Treasury.*
 York Sir Philip, Seaford, Suffex, *Attorney General.*
 York John, Richmond, Yorkshire.

Total for the *Excise*, with the Teller, 266.

Sir Thomas Prendergast was not returned 'till the Question was carry'd in the Committee, but appeared on the Report, and voted for the *Excise*.

Francis Knollys absent in the Committee, but appeared upon the Report, and voted against the *Excise*.

LIST of those who voted against the Question, and consequently against the *Excise-Scheme*.

S. SANDYS, Teller.

ABDY Sir Robert, Effex.
 Aitllable William, Rippon, Yorkshire.
 Alington Marmaduke, Agmondesham.
 Annesly Francis, Westbury, Wilts.
 Astley Sir John, Salop-Town.
 Aston Sir Thomas, Liverpoole, Lancashire.
 Bacon Thomas, Cambridge.
 Bacon Sir Edmond, Norfolk.
 Bagot Sir Walter Wagstaff, Staffordshire.
 Banks John, Corf-Castle, Dorsetshire.
 Banks Joseph, Peterborough, Northamptonshire.
 Barnard Sir John, LONDON.
 Barrington Sir John, Newtown, Hants.
 Bathurst Peter, Cirencester.
 Bathurst Benjamin, Gloucester.
 Belfield John, Exeter.
 Berkeley Hon. George, Dover.
 Bevan Arthur, Carmarthen.
 Bold Peter, Wigan, Lancashire.
 Boscawen Hugh, Truro, Cornwall.
 Bowes George, Durham County.
 Bowles William, Bridport, Dorsetshire.
 Bramstone Thomas, Malden, Effex.
 Broke Philip, Ipswich, Suffolk.
 Bromley William, Warwick.

Browne

Browne John, Dorchester.
 Bulkeley *Lord Viscount*, Beaumaris, Anglesea.
 Burrard Paul, Yarmouth, *Ile of Wight*.
 Burrel Peter, Haslemere, Surrey.
 Cæsar Charles, Hertfordshire.
 Carew Sir William, Cornwall.
 Cartwright Thomas, Northampton.
 Caswall Sir George, Leominster, Herefordshire.
 Chafin George, Dorsetshire.
 Charlton St. John, Bridgenorth, Salop.
 Chetwynd *Lord Viscount*, Staffordshire.
 Chetwynd John, Stockbridge, Hants.
 Child Sir Francis, Middlesex.
 Childe William Lacon, Salop County.
 Cholmondeley Charles, Cheshire.
 Clarke Godfrey, Derbyshire.
 Cocks James, Rygate, Surrey.
 Coffin Richard, Barnstaple, Devon.
 Compton George, Northampton.
 Cornbury *Lord Viscount*, Oxford University.
 Cornewall Velters, Herefordshire.
 Cotton Sir John Hynde, Cambridge Town.
 Courtenay Sir William, Devonshire.
 Crisp Thomas, Ilchester, Somersetshire.
 Curzon Sir Nathaniel, Derbyshire.
 Dalrymple Col. John, *Burgh of Wigtoun*.
 Dalrymple Sir James, *Burgh of Haddington*.
 Dalrymple Hon. Col. William, *Shire of Wigtoun*.
 Davers Sir Jermyn, Suffolk.
 Devereux Hon. Price, Montgomeryshire.
 Digby Hon. Edward, Warwickshire.
 Drax Henry, Lyme, Dorsetshire.
 Drewe Francis, Exeter.
 Dundas Robert, *Shire of Edinburgh*.
 Elton Sir Abraham, Bristol.
 Eyles Sir John, L O N D O N.
 Eyles Sir Joseph, Southwark.
 Fazakerley Nicholas, Preston, Lancashire.
 Fenwick Nicholas, Newcastle upon Tine.
 Finch Hon. John, Higham-ferrers, Northamptonshire.
 Finch Hon. John, Maidstone, Kent.
 Foley Edward, Droitwich, Worcestershire.
 Fortescue Hon. Theophilus, Barnstaple, Devonshire.
 Fuller John, Plimpton, Devon.
 Furness Henry, Dover.
 Gage *Lord Viscount*, Tewksbury, Gloucestershire.

Gay

Gay Robert, Bath.
Gower Baptist Leveson, Newcastle, Staffordshire.
Gower *Hon.* William Leveson, Newcastle, Staffordshire.
Grosvenor *Sir* Robert, Chester.
Guidott William, Andover, Hants.
Gybbon Phillip, Rye, Suffex.
Hall Charles, Lincoln.
Hanbury John, Monmouthshire.
Harley Edward, Herefordshire.
Harrison Thomas, Old Sarum.
Harvey Michael, Milbourn-Port, Somersetshire.
Hawkins Philip, Grampound.
Heathcote William, Southampton.
Heathcote George, Hindon, Wilts.
Hedworth John, Durham County.
Henley Anthony, Southampton.
Hoby *Sir* Thomas, Marlow, Bucks.
Holland Rogers, Chippenham, Wilts.
Hope *Sir* J. Bruce, Kinross and Clackmanan,
Howe John, Wiltshire.
Howard Henry *Lord* Walden, Boralston, Devonshire,
Hylton John, Carlisle, Cumberland.
Inwen Thomas, Southwark.
Inchequin *Earl of*, Tamworth, Staffordshire.
Isham *Sir* Justinian, Northamptonshire.
Kemp *Sir* Robert, Suffolk.
Kemp Robert, Orford, Suffolk.
Keyt *Sir* William, Warwick.
Lawson Gilfrid, Cumberland.
Lawson *Sir* Wilfrid, Cockermouth, Cumberland.
Lee *Sir* Thomas, Bucks.
Lee George, Brackley, Northamptonshire.
Leigh *Hon.* Charles, Bedfordshire.
Levinz William, Nottinghamshire.
Lewen George, Wallingford, Berks.
Limerick *Lord Viscount*, Wendover, Bucks.
Lisle Edward, Marlborough, Wilts.
Lister Thomas, Clithero, Lancashire.
Lloyd Salisbury, Flint-Town.
Lowther *Sir* James, Cumberland.
Lowther *Sir* Thomas, Lancashire.
Lutterel Alexander, Minehead, Somersetsh.
Lutwyche Thomas, Agmondesham, Bucks.
Lyfter Richard, Salop County.
Mackenzie *Sir* George, Cromartie and Nairn.
Mansel *Hon.* Bussy, Cardiff, Glamorganshire.

Master

Master Thomas, Cirencester, Gloucestershire.
 Master Legh, Newton, Lancashire.
 Meadows Sidney, Truro, Cornwall.
 Merrill John, St. Albans.
 Methuen *Hon. Sir* Paul, Brackley, Northamptonshire.
 Middleton *Sir* William, Northumberland.
 Milner *Sir* William, York.
 Moneux *Sir* Humphry, Tavistock, Devonshire.
 Morpeth *Lord Viscount*, Morpeth, Northumberland.
 Morrice *Sir* William, Newport, Cornwall.
 Mostyn *Sir* Roger, Flintshire.
 Mountrath *Earl of*, Castle-rising, Norfolk.
 Newland William, Gatton, Surrey.
 Newton *Sir* Michael, Grantham, Lincolnsh.
 Nightingale Joseph Gascoign, Stafford.
 Noel *Hon.* Thomas, Rutland.
 Noel *Sir* Clobery, Leicestershire.
 Norris *Sir* John, Portsmouth, Hants.
 Northmore William, Oakhampton, Devonshire.
 Ongley Samuel, Shoreham, Sussex.
 Packer Winchcomb, Berkshire.
 Packington *Sir* Herbert, Worcestershire.
 Palmer Thomas, Bridgwater, Somersetshire.
 Parsons Humphrey, LONDON.
 Pelham Charles, Beverley, Yorkshire.
 Perrot Henry, Oxfordshire.
 Perry Micaiah, LONDON.
 Peyto William, Warwickshire.
 Phillips Erasmus, Haverford-West, Pembroke.
 Plumer Ritchard, Litchfield, Staffordshire.
 Plumer Walter, Apulby, Westmoreland.
 Plumtree John, Bishops-castle, Salop.
 Pottinger Richard, Reading.
 Powlett *Lord* Nassau, Lymington, Southampton.
 Pulteney William, Heydon, Yorkshire.
 Rashleigh Jonathan, Fowey, Cornwall.
 Reynell Richard, Ashburton, Devonshire.
 Rolle Henry, Devonshire.
 Rowney Thomas, Oxford City.
 Rushout *Sir* John, Evesham, Worcestershire.
 Sambrooke John, Wenlock, Salop.
 Sambroke *Sir* Jeremy Vanacker, Bedford.
 St. Aubin *Sir* John, Cornwall.
 St. John *Hon.* John, Wotton-Basset.
 Saunderson *Sir* Thomas, Lincolnshire.
 Scawen Thomas, Surrey.

Scot Col. James, Kinkardinshire.
 Sebright Sir Thomas, Hertfordshire.
 Seymour Francis, Bedwin, Wilts.
 Shaftoe John, Durham City.
 Sheppard Samuel, Cambridgeshire.
 Shippen William, Newton, Lancashire.
 Shirley Hon. Robert, Stamford, Lincolnshire.
 Shuttleworth Richard, Lancashire.
 Slingsby Sir Henry, Knaresborough, Yorkshire.
 Somerset Lord Charles, Noel, Monmouthshire.
 Spencer Hon. John, Woodstock, Oxfordshire.
 Stanhope Hon. John, Nottingham.
 Stanhope Sir William, Bucks.
 Stanhope Charles, Derby.
 Stanley Sir Edward, Lancashire.
 Stapleton Sir William, Oxfordshire.
 Talbot John Ivory, Wilts.
 Taylor Joseph, Petersfield, Hants.
 Townshend Hon. William, Yarmouth, Norfolk.
 Tremayne Arthur, Launceston, Cornwall.
 Turner Cholmley, Yorkshire.
 Vane Lord Viscount, Steyning, Suffex.
 Vane Hon. Henry, St. Maws, Cornwall.
 Vaughan William Gwyn, Brecon County.
 Vernon Sir Charles, Chipping-wicomb.
 Vernon George Venables, Litchfield, Staffordshire.
 Vernon Edward, Penryn, Cornwall.
 Vyner Robert, Lincolnshire.
 Walcot John, Salop County.
 Waller Edmond, Great Marlow.
 Waller Harry, Chipping-wicomb, Bucks.
 Ward John, Newcastle, Staffordshire.
 Warden Bonlace, Nottingham.
 Williams Sir John, Aldborough, Suffolk.
 Willoughby Hon. Thomas, Tamworth.
 Windham Thomas, Dunwich, Suffolk.
 Windford Thomas, Hereford.
 Wortley Montagu Edward, Huntingdon.
 Wrighte George, Leicester.
 Wyndham Sir William, Somersetshire.
 Wynn Watkin Williams, Denbighshire.

Total against the *Excise*, with the Teller, 205.

These voted afterwards against the Excise.

Beaumont Sir George, Leicester.
 Bishopp Sir Cecil, Penryn, Cornwall.
 Bootle Thomas, Liverpool, Lancashire.
 Banbury Sir Charles, Chester.
 Cavendish Lord James, Derby.
 Cavendish Lord Charles, Westminster,
 Clarke Sir Thomas, Hertford.
 Clarke George, Oxford University.
 Coleraine Lord, Boston, Lincolnshire.
 Coryton Sir John, Kellington, Cornwall.
 Dering Sir Edward, Kent.
 Desbouverie Sir Edward, Shaftsbury, Dorsetshire.
 Ellis Sir Richard, Boston, Lincolnshire.
 Gifford John, Westbury, Wilts.
 Hotner Thomas Strangeways, Somersetshire.
 Jeafson Ralph, Northumberland.
 Knollys Francis, Oxford City.
 Noel William, Stamford, Lincolnshire.
 Pleydell Edmond Moreton, Dorsetshire.
 Prendergast Sir Thomas, Chichester.
 Rudge Edward, Aylesbury, Bucks.
 Rudge John, Evesham, Worcestershire.
 Stiles Benjamin Haskin, Dovizes.
 Tucker Edward, Weymouth, Dorsetshire.
 Tyrconnel Lord Viscount, Grantham, Lincolnshire.
 Weaver John, Bridgnorth, Salop.
 York John, Richmond, Yorkshire.

After the Question upon this first Resolution had been thus carry'd in the Affirmative, the following Resolutions were proposed and agreed to without any Division, *viz.*

2d, That it was the Opinion of that Committee, that in lieu of the said Duties, (*viz.* those mention'd in the first Resolution) so to be determined, there should be granted to his Majesty an Inland Duty of Four-pence *per* Pound upon all Tobacco imported from the *British* Plantations, to be paid before the taking the same out of the Warehouse.

3d, That it was the Opinion of that Committee, that the Inland Duties, to be raised and levy'd upon Tobacco, should be appropriated and apply'd to the same Uses and Purposes

Purposes, as the former Duties upon Tobacco, to be determined, were appropriated and apply'd.

4th. That it was the Opinion of that Committee, that all Fines, Penalties, Forfeitures, and Seizures, to arise by the said Duties, should be apply'd to the Use of the Publick, except so much thereof as should be allowed to the Informers or Prosecutors.

Thus the Excise-Scheme triumphed for this first Day in the House of Commons; but the Debate had lasted so long, that it was near Two o'Clock on Thursday Morning before the House 'rose, and therefore they adjourned over 'till next Day.

On Friday the 16th of March, Sir Charles Turner (according to Order) reported to the House the Resolutions the Committee had come to, in Relation to the Duties on Tobacco. After Sir Charles had read the Report in his Place, and had deliver'd it in at the Table, the Serjeant at Arms, attending the House, was order'd to go with the Mace into *Westminster-Hall*, and into the Court of Requests, and Places adjacent, and summon the Members there to attend the Service of the House. Upon his Return, the first Resolution the Committee had come to was read, and the Question being propos'd for agreeing with the Committee in that Resolution, Sir *J—n B—d* stood up and spoke to the following Effect, *viz.*

S I R,

THOUGH the Resolutions which have been now read to us, were agreed to by a Majority of those present in the Committee, yet I can make no Manner of Doubt, but that now, after Gentlemen have had Time to consider that Affair seriously, there will be many of a different Opinion from what they were of in the Committee; for my own Part, I must say, that the more I consider that Scheme on which these Resolutions are founded, the more Objections I find to it, and the less I find in those Arguments which were offer'd in Support of it. One of the chief Ends propos'd by this Scheme is, the preventing of those Frauds which have formerly been committed in the Tobacco Trade; but, if we particularly examine those Frauds, we shall find, that every one of them may either be prevented by the Laws already in Being, or they are such as cannot be

R r 2

effectually

effectually prevented by any Thing in the Scheme proposed.

That Fraud which has been committed upon the Weighing of the Tobacco at the Custom-house, and likewise that of exporting one Sort of Tobacco for another, is altogether owing, as has been already observed, to a Neglect of Duty in the Officers, and not to any Defect in the Laws: And as to the Frauds of running or re-landing Tobacco after it has been enter'd for Exportation, and has receiv'd the Drawbacks, which are those by which the Publick has and always will suffer most, there is nothing in the Scheme that can any Way contribute to the preventing them; for it is not the Manner of collecting of Duties, but the Amount of the Duties, which occasions Smuggling or Running in all Countries, and in all Branches of Trade; and since the Duties on Tobacco are by this Scheme to be as high, or very near as high, as they were before, we may expect there will be as much Smuggling as there was formerly; where the Temptation is great, the Number of the Tempted will increase in Proportion, let the Danger they run be never so great.

As for the Warehouses proposed, if there be any Thing in that Part of the Scheme, which may be of Use against Smuggling, it is not to this Scheme, that the Proposition owes its Birth; it is what the Merchants themselves have long ago desired; and for that Purpose I drew up some Time ago a Clause to have been offer'd to this House, which I shew'd to the honourable Gentleman on the Floor; and at that Time the Affair would have been pushed, but there arose some Disputes and Differences among the Merchants themselves, which occasioned its being deferred: That Part of the Scheme therefore I shall find no Fault with, I believe no Merchant will, but then we would have it without the Laws of Excise; for this Reason the honourable Gentleman cries out against the Merchants, as a very unreasonable Set of Men; he says, that they formerly desired to have Warehouses, and yet now they refuse to accept of them. But do not Gentlemen see where the Difference lies? The Merchants desire to have Warehouses without an Excise, and the honourable Gentleman will not, it seems, favour us with the one, without loading us with the other.

As to what the Civil List may get by this Scheme, it will depend entirely upon the Effect the Scheme may have in Relation to the Preventing of Frauds ; but it is certain, that if the publick Revenue get any Thing by the Scheme, the Civil List will get in Proportion, or rather more ; for, by what is now proposed, that Part of the Duty which goes towards the Civil List is still to be payable upon Importation at the Custom-house, and to be drawn back on Exportation, as before : Now it is manifest, that this will be a great Advantage to the Civil List, and often a great Inconvenience to the Merchant ; for once in every six Weeks that Money will be carry'd to the Exchequer, and when once it is lodged there, I believe it will there remain ; it will never be sent back to the Custom-house, to answer any Occasion there may be for it at that Place ; so that when the Merchant comes to export a Quantity of Tobacco, and to call for his Draw-back, if the Commissioners have none of that Civil List Money in their Hands, they cannot apply the Produce of any other Branch of the publick Revenue to that Use, and therefore the Merchant must wait for his Drawback 'till some new Tobacco's be imported ; by which Means the Crown may often have the Use of that Money, which should have been applied to the Payment of the Merchant, perhaps for near a Twelvemonth at a Time ; and the Lying out of that Money for so long a Time, may often happen to be of dangerous Consequence to the Merchant's Credit.

The honourable Gentleman talk'd of making *London* a free Port, I wish with all my Heart he would do so ; it is certainly what every Merchant wishes to see done, and what would greatly contribute to the Increase and Encouragement of the Trade of this Nation ; but how such a Pretence can be set up in Favour of the Scheme now before us, I cannot comprehend, for I can see nothing in the Scheme that has the least Tendency towards producing an Effect so much to be wished for : On the contrary, it appears evident to me, that by this Scheme, the Port of *London*, and all the other Ports of the Kingdom, will be so far from being made free, that at every one of them the Merchant will be subjected to more Trouble and Expence, both upon Importation and Exportation, than ever he was before. 'Tis true that, upon the Importation of Tobacco, the Merchant was formerly obliged to pay down the whole Duties, or
give

give his Bond with sufficient Sureties for them ; but this was never any Hardship upon the Merchant, because, if he had ready Money, he advanced it for the prompt Payment of the Duties, and he had an Allowance for so doing, which was but a reasonable Allowance, considering how long he was sometimes obliged to keep his Tobacco on his Hands, before he met with a Market either for Home Consumption or Exportation, and how many Months Credit he was often after that obliged to give to the Buyer ; and if he had not ready Money at Command, he could formerly give his Bond for the whole Duties with two sufficient Sureties, which a Man of tolerable Credit could always easily find ; whereas by this Scheme, it seems, every Merchant Importer of Tobacco must pay some Part of the Duties at the Entry, let him make what Shift he will for the Money, which to a poor Man is a new Hardship, and to a rich Man the Payment of that Part of the Duties in ready Money, is a greater Hardship than the Payment of the whole, considering that he has no Allowance for prompt Payment, as to that Part of the Duties which he is obliged to pay in ready Money.

I am surprised to hear any Gentleman say, that Brewers make no Complaints on Account of their being subjected to the Laws of Excise ; I do not know what Sort of Brewers those Gentlemen may converse with, but I never conversed with any who did not complain of it as a very great Grievance, nor did I ever meet with any who could not give very substantial Reasons for their Complaints. There are many particular Ways by which the Officers of Excise may be troublesome and vexatious to the Brewer ; but there is one which is generally practised all over the Kingdom, and that is, that those Officers not only gauge and take an Account of their Liquors, but likewise oblige the Brewers to shew them their Books as often as they have a Mind ; by which Means they not only pry into all the Secrets and Mysteries of their Trade, but likewise into their Circumstances and Fortunes. Can any Gentleman look upon this as no Grievance ? Is it not a Hardship upon any Man to have the Secrets and Mysteries of his Trade exposed to every little Fellow whom the Commissioners of Excise shall please to put in Authority over him ? But is it not still a greater Hardship, for a Man to be obliged to discover his Circumstances to one who

is an utter Stranger to him, perhaps to one who is his most implacable Enemy?

The honourable Gentleman, I find, values himself much upon the small Increase of Excise Officers that is to be made by his Scheme; but then he seems to forget the Warehouse-keepers; they, as well as the other Officers of Excise, are all to be named by the Crown, and paid by the Publick, consequently they are certainly to be called Officers of the Revenue: They will be as expensive to the Publick, and as great Slaves to the Administration, as any other Sort of Officers whatever. As there are a great Number of Tobacco Warehouses in *Britain*, there must be a great Number of them employ'd to attend those Warehouses as often as there shall be Occasion for them, otherwise it will be impossible for the Merchant to manage or dispose of the Goods he has there lodged; from whence I must conclude, that the Number of those Warehouse-Keepers will be much more than double the Number of the other new Officers to be added by this Scheme.

Gentlemen seem to make light of the Trouble that Merchants will be put to by those Warehouse-keepers; they think it will be no Inconvenience to the Merchant to be debarred all Access to his Goods, but at those Hours when the Warehouse-keeper is to be obliged to attend him. Those who argue at this Rate, seem to know but little of the various Accidents that happen in Trade; but this is not the only Inconvenience that even the Merchant is to be exposed to by this Scheme; he must, for every Quantity of Tobacco he sells, make a Journey, or send a Messenger to the Permit Office for a Permit, which must necessarily put him to a great deal of Trouble and Expence; and therefore, that the Merchant may be as much eased as possible, I hope that, as soon as those publick Warehouses are all appointed, there will be two little Lodges like Centry-Boxes, built somewhere adjoining to each Warehouse, one for the Warehouse-keeper, and the other for the Officer who is to grant the Permits.

It has been said, that Liberty has nothing to do in the Question now before us; but, in my Opinion, if it is not deeply concern'd in this Question, it never can be concern'd in any Question that can come before this House: Is not every Man's House looked on as his Asylum? Is then the giving a Power to any little paltry Exciseman to enter People's Houses at all Times of the Day

Day and Night no Encroachment upon the Liberty of those People? If it is not an Encroachment upon a Man's Liberty, it certainly is a very direct one upon his Property, and of Consequence it will be found to be an Encroachment upon his Liberty; for can any Man be said to be free, who must submit to, and be the humble Slave of, his Exciseman, otherwise he must expect no Quiet or Comfort within his own Dwelling-house: The most blameless Conduct cannot secure him against Vexation; and no Man can be said to be free, who cannot depend upon his Innocence for his Protection: An Officer, invested with such Power, may fall upon twenty Ways to teaze and vex the most innocent Man upon Earth: I know, that one of my Acquaintance, who has the Misfortune to be subject to the Laws of Excise already in Being, was, for a considerable Time together, regularly visited by his Exciseman at the Hour the Family went to Dinner; and if they had but civilly ask'd the Gentleman to call at any other Time, his immediate Answer was, *No, Sir, I'm in a Hurry, I have a great deal of other Business to attend besides yours; I must immediately visit such a Place; if you will not allow me, I must go, and I know what to do.* By this rude Behaviour the whole Family was disturbed, and one of them was always obliged to get up from Dinner, in order to go and let him visit such Places in the House as he had a Mind.

These are the Fellows who, by this fine Scheme, are to be put into every Man's House that is a Dealer in either of the two Commodities of Tobacco or Wine: These are the Lord Danes, who are to be by Law appointed to lord it over every such Dealer, and his whole Family: We know what was the Fate of the Lord Danes we had formerly in *England*, and I shall be very little surpris'd if these new ones meet with the same Fate. In short, Gentlemen may dress up this Scheme in what Shape they please; but to one who considers it coolly and impartially as I have done, it must appear in its true Colours. I am convinced that it will produce nothing but the most mischievous Consequences, not only to those who are to be immediately affected by it, but likewise to the Liberties and Properties of the Nation in general, and therefore I am entirely against agreeing to the Resolutions of the Committee.

H — to W — le spoke next for agreeing with the Committee; T — s B — n, Esq; spoke against it; Ld H — y for it; then Sir T — s R — n made the following Speech:

S I R,

AS I had not an Opportunity in the Committee of giving my Opinion in this Question, I hope I shall be indulged the Liberty of doing it now, since I find the whole is to be canvased over again. I will take up as little of your Time as possible, in making a few Observations on the Scheme itself as it now appears to us, and on what has fell from some Gentlemen in the Course of this Debate.

I cannot help expressing my Surprise, to hear so often repeated the cruel Usage the *English* Merchants have met with of late: For God's Sake, let all that has been said in this House, during the Time this Affair has been upon the Anvil, be fairly and impartially canvased, and 'twill come out to be against the unfair Dealers in Wine and Tobacco, and against them only: Why should Gentlemen therefore apply it to Merchants in general? Give me Leave to say, whoever makes such Application, 'tis they who pin the Question upon the whole Body of Merchants, and not those Gentlemen who think the Method proposed of collecting this Revenue, will secure to the Publick what they have an undoubted Right to. All that has been said on this Head, and what we are now endeavouring to do by this Bill, is calculated to affect those Men only, whose Artifice and Cunning have hitherto evaded the Customs, against whom no less caution can secure that Duty to the publick Purse, which every Consumer of this Commodity has an indisputable Right to have fairly collected.

Surely, no Gentleman who appears for this Scheme, would for his own Sake protect or countenance it, if he imagined the Success would either affect our Trade, or the Body of the *English* Merchants immediately concern'd in the Exportation of our own Manufactures, or by Way of Return for them in the Importation of foreign Productions useful and necessary to us; for it is to our Trade, and to our Merchants, that the real Causes of the Wealth and Prosperity of this Nation are principally to be ascribed. But this Scheme is not intended to affect, nor will, I think, in any Shape reach these Men,

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which when they come impartially to consider, they must be sensible of ; and then they will be able to judge, whether they have been alarm'd at the Approach of Real, or only at the Noise of imaginary Dangers.

I am very sorry to hear so often urged, that these Restrictions proposed only for the preventing of Frauds will be a Discouragement to Trade in general ; for the natural Conclusion from thence would seem to be, that Frauds and Trade were inseparable : As the very Foundation of this Scheme appears to me to be intended for the Improvement of the publick Revenue by the Discouragement of Frauds, when it is so often affirmed, that it will also be a Discouragement to Trade, a Stranger in the Gallery, who was to hear our Debates, would naturally imagine a Continuance of, or a Connivance at Frauds, was in this Country a necessary Encouragement to Trade.

As this Bill appears to me to be attended with certain Advantages to the Tobacco-Trade, and as I should be glad to be set right if I am mistaken ; I beg Leave to ask a few Questions of those who are conversant in Trade : Whether high Duties on Goods imported are not a great Weight on every Branch of Trade so loaded ; as it not only obliges the Merchant to keep a double Stock in ready Money, but of course confines that Trade to a very narrow Circle of Dealers, and surely it can never be the Interest of a Trading Nation to encourage Monopolies ? Then I must ask, Whether, as the Law now stands, the Tobacco Trade has not this Hardship attending it ? If it be so, I would ask, Whether this Clog is not entirely removed by this Scheme ; no Duty being to be paid at Importation, nor any Money demanded 'till the Factor has made his Bargain with the Retailer, who is to pay the whole Duty ?

Is it not another allow'd Maxim in Trade, that one of the greatest Temptations to Frauds are large Drawbacks on Goods exported, nay the very Parent of Frauds in this Commodity ? If this be a Fact, is not this Motive to Frauds entirely removed, there being by this Scheme no Temptation whatever to Frauds on this Head ? for by this Scheme as now amended, there is no Part of the Duty to be paid at Importation, there is not a Farthing of the Duty ever to be paid for the Tobacco which shall hereafter be re-exported ; so that the honourable Gentleman who spoke first, and who always speaks so well, and with so much Weight in this House,

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has in this Particular entirely mistaken the Scheme now before us.

Has not the Method of Bonding the Duties, 'till very lately at least, been universally allow'd to be often fatal to both the Planters and Factors, and as often detrimental to the Publick? Is not this Hardship quite obviated by this Scheme? Is not Bonding entirely out of the present Question?

Were not the Charges in the Bills of Sale from the Factor to his Planter a very great Hardship on the latter? According to all those I have seen, they never amounted to less than 25 *per Cent.* and oftner to much more, on the whole neat Produce returned to the Planter for his Tobacco. I don't mean to accuse the Factor of taking an extravagant or unjust Gain on this Head; but what I think we are now contending to remove, is the Presence for and the Foundation of these Charges, which have been so greatly detrimental to that Trade, and so great a Hardship on your *Virginia* and *Maryland* Planters, who now send you a Merchandize that proves to this Nation, by the great Quantities re-exported to foreign Markets, a very beneficial Branch of your Commerce; and if something be not now done in their Behalf, I am told from very good Hands, we shall run the Risque of losing this Staple of Tobacco: Then 'twill be too late to consider what Methods are best for collecting the Duties on it; and therefore, were there no other Motive for this Bill, this Consideration alone would weigh greatly with me, to make a Trial, at least, of the Method now proposed for giving a Relief to so considerable a Part of your *American Colonies*.

Now I am up, Sir, give me Leave to remind Gentlemen, that, as the Law now stands, four Pence three Farthings neat Money, at least, is paid on each Pound Weight of Tobacco, immediately on Importation, tho' the Importer takes the Advantages of all the Discounts on prompt Payment, otherwise the Duty comes higher; but by this Scheme, the whole Duty will be at the highest but four Pence three Farthings *per Pound Weight*, and will not be demanded, 'till the Tobacco is taken out of the Warehouse for Home-Consumption, and therefore may sometimes not be paid 'till eighteen Months or two Years after the Landing of the Tobacco: Let therefore who will advance the Money, this further Credit given by the Publick, for the Payment of the Duty, must be a certain Benefit to this Trade; and

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thus, by postponing the Payment of the Duties 'till so much nearer the Time of Consumption, the Dealers in Tobacco will be enabled and ought to afford it to the Consumer on more reasonable Terms.

If then this Scheme be found to be no real Detriment to the fair Merchant, and a certain Benefit to the Planters, I believe in another Particular it will be a demonstrable Advantage to the Publick, I mean an Improvement of the Revenue; But what appears to me pretty extraordinary is, to hear that Improvement urged as one of the chief Objections against the whole Scheme, because the Civil List Revenue will also of Course receive some Increase. Give me Leave to say, that whatever Appearance of Weight there might have been in this Objection before the Scheme was known, yet now when it comes to be consider'd, that the Crown in Return gives up to the Publick all Forfeitures and Seizures, this Objection can be of little Weight: But surely this could never have been thought a sufficient Objection for the Legislature to refuse a Remedy against the known Frauds practis'd in the Collection of the publick Revenue, because 'twould have prevented those practis'd against the Crown; especially when even this Improvement of the King's Income is no more than what was in Effect granted by the Parliament, when they appropriated the Produce of those Duties to his Majesty for Life.

But since it is said that this Alteration in the Method of collecting the Duty on Tobacco will be such an Augmentation to the Revenue, though no new Tax be laid on, nor an Addition made to any one now in Being, it may be asked, From whence this Augmentation will arise? To this the bare Enumeration of the several Frauds at present practis'd in the Collection of this Duty would be a sufficient Answer, especially if we consider the large Sum, which the Frauds that have actually been discovered yearly amount to, and that it cannot be supposed, that one fifth Part of the Frauds which have really been committed, have ever come to the Knowledge of the Publick, or of those entrusted with the Collecting of this Duty; but as the honourable Gentleman, who opened this Debate in the Committee, has so fully and so demonstrably shewn the particulars of these unlawful Transactions, and as there are in this House so many Gentlemen thoroughly acquainted with the Course of the publick Revenue,

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who can speak more minutely to the Nature of these Frauds than I am capable of doing; I shall not enter into a Detail of them, but only take Notice, that there have been some Instances where a tripple Fraud has been committed in the Disposal of the same individual Parcel of Tobacco; he, indeed, who practises this Method, must be very adroit in the Business of Smuggling, but it is certain it has been practised; the unfair Trader has contrived to receive the full Duty twice from the Publick, without having ever paid it once to the Publick: He has received from the Government the Drawbacks upon a Quantity of Tobacco which he found Means to import without paying any Duty; and by again running the same Tobacco from *Holland* in small Parcels, he has a second Time received the Drawbacks from the Consumers, by selling it to them as if the Duties had been honestly paid; and the Difficulty to prevent this Kind of Frauds, as there is but one Check in the Customs, is almost insurmountable; since in some Cases the unfair Dealer in Tobacco may very well afford to give such Bribes to the Custom-house Officer, as will even more than compensate to him the Loss of his Place, if he should be discover'd.

So that in this Light, the Parties in this Contest are, the Publick, the Planter, and the fair Trader on one Side, and the unfair Dealer only on the other. It is a Duty the Nation pays; the Planter and the fair Trader feel the Inconvenience of it, but the Benefit is intercepted by the fraudulent Dealer; and in this View your landed Consumers of Tobacco have doubly paid the Duty; they have paid it once by buying the Tobacco at an advanced Price, as if the Duty had been paid by the Seller, and again by a future Call upon them by the Legislature, to make good the Deficiency occasioned by the Frauds of the Sellers; so that by this Method of Taxation, a Duty has been laid on one Subject, which another has by Artifice not only prevented coming into the publick Purse, but has converted towards the supporting or enriching of himself.

But there is another Reason which will have the greatest Weight with me for coming into this Proposition, and that is, because I think, that in its Consequences the Landholders of *Great Britain* will find a considerable Relief. As long as I can remember, I have always heard the Land-Tax complain'd of, as one of the most unequal and most grievous of our Taxes; unequal, as it

it is only paid by a Part of those who possess Property in *Great Britain*, and so great a Disproportion is there in this Particular, that as our Property is now divided, I believe one may say, the Money arising by this Tax is paid only by five out of six of those who possess the Riches of this Nation; and it has hitherto been the more grievous, as there was no Prospect that any one of this Generation would have been relieved from the Burthen of it. From Land alone, 64 Millions and a half have been raised since the Revolution, and an Estate of 1000*l.* a Year, fully seised since that Time, has paid 6450*l.* which Sum amounts to near one sixth Part of of the whole Produce of such an Estate in that Time; so that by taking it at an Avarage, the Landholders of these Estates thus seised, have paid very near a sixth Part of the gross Produce of their Estates for 44 Years successively, which bears no Manner of Proportion to what has been paid by any other Set of Men, towards defraying the Charges of the Government since that Time. This has always been most justly reputed a Grievance upon the Landholders, yet now, when a Scheme is offer'd, which, as it appears to me, would be a certain Relief to the Landed Interest, a new Language, a new Opinion has started up, and prevails at least without Doors, that the Lands of *Great Britain* should still continue to carry that Burthen, which, till very lately, all Mankind were unanimous they ought to be relieved from.

If some Gentlemen may think there can be any material Weight thrown into the Scale of the Crown, by the Addition of a few Excise Officers, let them on the other Side reflect on the Relief given by this Scheme to the Landholders of *Great Britain*, who always have been, and ever must be, in Time of Trial and Necessity, the real and solid Support of the Liberties of the Nation.

And as the joined Interest must be allow'd to be our principal Strength, all Attempts to invade our Liberties must prove unsuccessful, while the Gentlemen of Landed Estates shall continue resolute, and retain sufficient Force to oppose any arbitrary Designs: Any Thing therefore that tends to put them upon a better Footing, and to encrease their Substance, strengthens our Constitution in the most essential Part; for this Reason, when the Ease that will be given to Landholders is in this View impartially consider'd, the Addition of a few Excisemen, with Salaries of 40 or 50*l.* a Year

a Year each, will not have that Weight in this Day's Debate, which at first Sight it might seem to carry with it.

Sir, I have mention'd the Advantages which appear to me will naturally arise to the publick Revenue, to the fair Trader, to the industrious Planter, and to the Landholder by this Scheme; and I think there is another Benefit attending it, which Gentlemen do not seem to give sufficient Attention to, I mean the Reformation that will be made on this Occasion in the Laws of Excise; for tho' the Extention of them, as they now stand, might have been thought by some a strong Objection to this Scheme, however beneficial in other Respects it might prove to the Publick, yet I think the Weight of this Objection is greatly removed, when we consider, that the Alteration now proposed will take away many of those Powers which might in Time to come have been abused to the Oppression of the Subject. One of the most material Objections I ever heard started was, the Want of a proper Appeal from the Determination of the Commissioners of Excise; but this, I think, is entirely obviated by the allowing of an Appeal from those Gentlemen to three Judges chosen from the different Courts in *Westminster-Hall*, or from the Justices of Peace to the Judges of Assize in their respective Circuits, who are to determine in a summary Way, without either Delay, or any considerable Expence to the Parties concern'd; for whatever Influence the Nomination of these Officers by the Crown might have on their Actions, or however regardless their Power, being uncontrollable, might make them in their Determinations, this Check must prevent the Execution of their Intentions, were they inclined to abuse their Power in Favour of the Crown; it will certainly make them more deliberate in giving Judgment, when they shall know, when they shall reflect, that their Judgments are liable to be canvassed in a superior Court, where no Favour, where no Interest can screen an ill Action; the Judges to whom the Appeal must be made have their Offices for Life, and therefore cannot reasonably be supposed to be biassed so as to countenance any unlawful Steps of the Commissioners, let them be the Favourites of any Minister whatever, or let the Party oppress'd, let the Party complaining be never so obnoxious to an Administration.

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There is also another Benefit that will attend the Success of this Scheme, which is the Repeal of an Act made the 11th Year of the late King, which obliges People to accuse themselves : As this is certainly a very great Grievance, the Repeal must be a very agreeable Relief to those who are subject to it. I hope therefore, if this Question passes, when the Blanks in the Bill come to be filled up in the Committee, those Gentlemen, who may think that there are any unnecessary Clauses in the Laws of Excise, will take this favourable Opportunity to have those Laws review'd, and by the Addition of proper Clauses to the Bill now to be brought in, to extend the Regulations of them in Behalf of the Subject, as far as may not leave the Duties under the Management of the Commissioners open to gross Frauds.

Upon the whole, I believe the Benefits proposed by this Scheme, by an Improvement of the publick Revenue in preventing Frauds, will be a certain Relief to the Landed Interest, and the only real Objection that ever could be to such a Design, was the Method by which it was to be effected ; but that, I think, as I said before, is in a great Measure removed, by the Mitigation of those Methods of proceeding in Excise Laws, which seemed most to infringe the Liberties of the Subject, and which Alteration may, nay is designed to be extended to the other Branches of the Revenue, subject to the same Laws.

This Scheme therefore, as it is intended to be a Review of the Excise Laws, and an Amendment of the Rigour of those Parts of them, where less Severity would secure the Duty to the Publick, appears in this Light as much in Favour of the Subject, as of the Revenue ; and as such, when it comes to be rightly apprehended, and the Benefits attending it are felt and diffused through the whole Nation, I believe it will soon take a more favourable Turn among the People ; the ill Impressions of it that may now be industriously spread abroad, I should think would soon subside and be forgotten.

I beg pardon, Sir, for taking up so much more of your Time than I at first intended. I shall now only add, that since upon the Examination of the particular Merits of this Scheme, the Advantages proposed by it, appear to me to be certain, and of such a Nature, as not only to increase the publick Revenue, without any new Tax on the Subject, or an Addition to any one

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now in Being, and advance the Interest of our Trade and Plantations; but also at the same Time to raise the Value of the Lands of *Great Britain*, I shall therefore readily give my Assent to it.

Sir T———, A——— spoke next against it, and among other Things took Notice, that it was his Misfortune to know too much of the Influence that the Officers of the Customs and Excise had at Elections, for at his own Election there were many of the Voters were so free and open, as to come to him and tell him that they would vote for him rather than any other, but that those Officers had threatened to ruin them if they did; and others told him, that they had Promises either for themselves or their Sons to be made Officers in the Customs or Excise by his Antagonist; and as their Bread depended upon getting those Promises fulfilled, which they could not expect if they did not vote against him, therefore they hoped he would excuse them. Thus, says he, I know the Evil of this illegal Influence by Experience, and therefore I shall always be against any Measure that may tend to encrease it, as this Scheme most evidently will; for I hope I shall always disdain to owe the Honour of representing my Country in Parliament to any Administration whatever; I hope I shall always depend upon the free Votes of my fellow Subjects, and for that Reason I must be against what I think will destroy that Freedom upon which only I am resolved always to depend.

After him L——d G———y spoke for agreeing. L——d M———th against it. W———m C———n, Esq; for it. Then rose W———m P———y, Esq; and spoke as follows:

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I Must say, that the recommending the Care of the publick Revenue to this House, the recommending to us a Scheme which he thinks may tend to the increasing of it, are Doctrines which come very properly from the honourable Gentleman that spoke last, who for several Years has had the fingering of the publick Money, as he himself was pleased to express it: But I hope those Gentlemen will consider that they and their Posterity are not all to enjoy the same Posses they enjoy at present; they may perhaps expect that they themselves are all in for Life, but they cannot imagine that

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those Posts are to go by Way of Inheritance to their Heirs; and therefore I hope, that for the Sake at least of their Posterity, they will consider a little the Power and Influence that this Scheme will give to the Crown; and such a Consideration must certainly be of some Weight in the present Debate; even with those Gentlemen.

It is certain, that the Liberties of this Country depend upon the Freedom of our Elections for Members of Parliament; our Parliaments, especially the Representatives of the People in Parliament assembled, are designed for, and generally have been a Check upon those who were employed in the executive Part of our Government;—but if it shall ever come to be in the Power of the Crown, that is to say, of those employed in the executive Part of our Government, to have such an Influence over most of the Elections in the Kingdom, as to get any Person chosen they please to recommend, they will then always have a Majority of their own Creatures in every House of Commons, and from such Representatives what can the People expect? Can it be expected, that such a House of Commons will ever be any Check upon those in Power, or that they will find Fault with the Conduct of the most rapacious, the most tyrannical Ministers, that may hereafter be employed by the Crown.

It is well known, that every one of the publick Offices have already so many Boroughs or Corporations which they look on as their Properties; there are some Boroughs which may be called Treasury Boroughs; there are others which may be called Admiralty Boroughs; in short, it may be said, that almost the whole Towns upon the Sea Coast are already seiz'd on, and in a Manner taken Prisoners by the Officers of the Crown: In most of them they have so great an Influence, that none can be chosen Members of Parliament but such as they are pleased to recommend. But as the Customs are confined to our Sea Ports, as they cannot travel far from the Coast, therefore this Scheme seems to be contrived in order to extend the Laws of Excise, and thereby to extend the Influence of the Crown over all the inland Towns and Corporations in England.

This seems plainly to me to be the chief Design of the Scheme now under our Consideration; and if it succeeds (which God forbid it should) our future Ministers of State will be very much obliged to the Gentlemen

who projected it; the Election of a House of Commons, will in all Time to come be an easy Task for whoever shall be prime Minister under any of our future Kings; he may sit at home in his great Chair, and issue forth his Orders to most of the Counties and Boroughs in Great Britain, to chuse such Persons for their Representatives in Parliament as he shall please to think most proper for his Purpose: Most of the chief Clerks of the Treasury, and other great Offices, are already Members of this House; they deserve it, they are Gentlemen, and Men of Figure and Fortune in their Country; but if this Scheme takes Place, we may in a little Time see all the little Under-Clerks of the Treasury, and other Offices, Members of this House; we may see them strudging down to this House in the Morning in order to give their Votes for imposing Taxes upon their Fellow Subjects, and in the Afternoon attending behind the Chair of a Chancellor of the Exchequer, a Secretary of State, or other chief Minister. Nay, I do not know but some of us may live to see some vain over-grown Minister of State driving along the Streets with six Members of Parliament behind his Coach.

These must be the fatal Consequences of the Scheme now under our Consideration; and therefore I must think that every Man who has a Regard to the Constitution of his Country, or to the Liberties and Properties of those that have put their Trust in him, is in Duty bound to give his Negative to the present Question.

Gentlemen may indulge themselves in the vain Conceit, that by this Scheme all Manner of Frauds in the Tobacco Trade will be prevented for the future, but the Thing is in its own Nature impossible; when the Duties are so high, where they amount to five or six Times the prime Cost of the Commodity on which they are laid, it will be impossible to prevent all Manner of Frauds; and therefore the Increase of the publick Revenue by this Scheme is so far from being certain, that it is altogether precarious; and unless the publick Revenue be thereby greatly increased, the Land-holders can expect no Relief: But granting that the Benefits expected by this Scheme were certain, it is as certain, it is demonstrable, that our Constitution will be thereby destroyed; and are we to make a Sacrifice of our Constitution for the poor Consideration of adding four or five hundred thousand Pounds a Year to the publick Revenue

venue? That Increase may soon be dissipated by an Administration, under no Fears of being called to an Account by Parliament, and then they will be obliged to come upon the Land-holders for Money to answer the necessary Services of the Publick. There never was in any Country a Scheme set up for introducing arbitrary Power, but what was supported by some specious Pretences: The preventing of Mobs, Insurrections, Invasions, Frauds, or the like, have in all Countries been made the Pretences for introducing arbitrary Power; but in such an Assembly as this, where the Principles of Liberty so much prevail, where there are so many Gentlemen of good Sense and Penetration, I hope no such Pretence will ever be of any Weight. To me it appears indisputable, that this Scheme is absolutely inconsistent with a free Election of Members of Parliament, and of Consequence it must be inconsistent with our Constitution; therefore though the Advantages to be reaped from it were much greater, and much more certain than they are, I should be most heartily against it, and for that Reason I must give my Negative to the present Question.

Mr. C—— of the E—— spoke next. Then W—— P——, Esq; spoke again. And after him W—— P——, Esq; stood up, and among other Things took Notice of some Gentlemen's having said, that no Body had opposed the subjecting of Coffee, Tea, and Chocolate, to the Laws of Excise, but the honourable Gentleman under the Gallery (meaning Sir J—— B——). But, says he, I must put those Gentlemen in Mind, that I had then the Honour to be a Member of this House, and I thank God I did oppose that Excise Scheme as well as I shall do this, and every such Scheme that shall ever be offered to this House, while I have the Honour of sitting in it. I know how grievous and oppressive the Laws of Excise are to my Fellow Subjects, and therefore I think I cannot answer to my Country if I do not to the utmost of my Power oppose every Scheme that shall be offered for the Extension of those vexatious and arbitrary Laws.

After several others had spoke on both Sides, the Question was put upon the first Resolution, upon which the House came to a Division, and thereby the Question was carried in the Affirmative 249 against 189.

After

After this, the Questions were severally put upon the two next Resolutions, which were agreed to without any Division; and the last Resolution being read a second Time, Mr. Chancellor of the Exchequer acquainted the House, that his Majesty had commanded him to acquaint that House that his Majesty gave his Consent, that the House should do as they should think fit, in relation to the said Fines, Penalties, Forfeitures, and Seizures? Whereupon the Question was put, and it likewise was agreed to without any Division.

Then it was ordered, that a Bill should be brought in, pursuant to the said Resolutions, and that Sir *Charles Turner*, Mr. Chancellor of the Exchequer, Mr. Attorney General, Mr. Solicitor General, Mr. *Doddington*, Mr. *Clayton*, Sir *William Younge*, Sir *George Oxenden*, Mr. *Scrope*, and Mr. *Edward Walpole*, should prepare and bring in the same.

This famous Bill was accordingly brought in the 4th of *April*, and was read a first Time, after which Mr. Chancellor of the Exchequer, by his Majesty's Command, acquainted the House that his Majesty consented to their making such Alterations as they should think fit for the publick Service, in Relation to the Subsidy on Tobacco then payable on Account of his Majesty's Civil List. It was next objected that some Parts of the said Bill were not within the Resolutions of the House, pursuant to which the said Bill had been ordered to be brought in; and therefore moved that the Bill should be withdrawn, which passed in the Negative, 232 against 176; Then a Motion was made for adjourning, which likewise passed in the Negative; at last it was resolved that the Bill should be read a second Time, and ordered, that it should be read a second Time on that Day Sev'nnight, 236 against 200; a Copy of which Bill we have already communicated to our Readers in our *Register*, N^o LXX. Next Day after the bringing in of this Bill, a Motion was made for the Printing such a Number of Copies as should be sufficient for the Use of the Members of the House; but upon the Question's being put, it was carried in the Negative 128 against 112.

As this Bill very much concerned the Trade and Commerce of this Nation, the Lord Mayor of the City of *London* procured a Copy of it soon after it was brought into the House of Commons, and having laid it before the Common Council, it was there resolved to petition the

the House against it, and a Petition being then immediately drawn up and agreed to, the same was presented to the House of Commons on the 10th Day of April: *Vide Hist. Reg. N^o LXX.*

The presenting of this Petition brought the Excise Scheme again upon the Carpet in that honourable House. The City of *London* has always enjoyed this Privilege, that any Petition from them is presented to the House by their Sheriffs, and is brought up by the Clerk of the House, and read at the Table, without asking the Leave of the House for that Purpose; whereas all other Petitions must be presented by a Member of the House, and cannot be by him brought up, or read at the Table by the Clerk, till Leave be first asked of and granted by the House. Accordingly this Petition was brought up and read at the Table, and as soon as it was read, Sir *J—n B—d* got up, and in a Speech full of that Strength of Reason and Perspicuity of Expression which he is so much Master of, he shewed how much the City and Citizens of *London*, as well as all the other trading Part of the Nation, wou'd be affected by the Bill for altering the Method of raising the Duties payable upon Tobacco, and how just Reasons they had to insist upon being heard by their Counsel against it, and concluded with a Motion for granting them Leave to be heard by their Counsel if they thought fit.

In Opposition to this Motion, it was insisted on, that it had always been the Practice of that House, never to receive any Petitions, and much less to admit Counsel to be heard against any Bill for imposing of Taxes upon the Subject; for that if any such Thing were to be admitted of, it would be impossible ever to pass any such Bill, because there would be so many different Petitions presented against it by those who were to be subject thereto, that it would be impossible to hear Counsel separately upon every such Petition within the usual Time of the Continuance of one Session of Parliament: And that in refusing to admit Counsel to be heard, there could be no Inconvenience, because every Man, and every Body of Men had their Representatives in that House, who certainly would represent their Case to the House, if any particular Hardship was to be put upon them by any Bill then before the House.

To this it was replied, that the House had never pretended to any general Custom of refusing Petitions, except against those Bills which were called Money Bills,

Bills, that was to say, such Bills as were brought in for raising Money for the current Service of the Year; and that even as to them there were many Precedents where the House had admitted the Parties whom they thought to have a real Interest therein, to be heard by their Counsel against the passing of such Bills: That the admitting of Counsel even in such Cases could never prevent the passing of such Bills, because the House could always order all Parties petitioning to be heard at one Time, and could give such Directions that it would never take up many Days to hear every Thing that could be objected by every one of the Parties petitioning: That tho' every Part of the Nation had their Representatives in that House, yet it was well known, that speaking in Publick was a Talent that every Man was not endowed with, from whence it might happen, that the particular Persons, or Part of the Nation, which was then to be aggrieved by what was passing in the House, might not have any such Members as were proper to lay their Case fully and clearly before the House; and that therefore, even as to Money Bills, it was proper to admit Parties to be heard against them, when it appeared that they were very particularly interested therein.

But as to the Case then before them, there was not the least Pretence for refusing the Desire of the Petition, because the Bill, against which it was presented, was no Money Bill; it was granted by the Advocates for the Bill; it was even insisted on as the greatest Argument for it, that there was no new Duties to be imposed; it was a Bill only for altering the Method of collecting the Taxes already imposed, and therefore it could never be pretended that there was any Practice or Custom of the House for refusing to admit Parties interested to be heard against such a Bill: That if there had been such a Custom introduced, it ought not to be observed, especially when such a considerable Body, as the Lord Mayor, Aldermen, and Common Council of the City of London, come with an humble Petition to be heard against a Bill, which they thought would not only be highly injurious to them in particular, but destructive of the Trade and Commerce of the whole Nation.

In this Debate there were many Precedents brought by Mr. S—y's, Mr. G—n, and Mr. B—le, where the House had receiv'd Petitions, and admitted Counsel to be heard against Money Bills; and there were

were likewise Precedents brought by Sir *W*—*—*—*—* *Y*—*—*—*ge*, and Mr. *W*—*—*—*on*, where the same had been refused, the reading of which took up a great Part of the Day.

This Debate lasted some Time, but on the Question's being put for allowing the Petitioners to be heard by their Counsel against the Bill, there was a Division, and the Question was carried in the Negative, 214 against 197.

After which it was ordered that the said Petition should lie upon the Table, until the said Bill should be read a second time.

Next Day, *viz.* on *Wednesday* the eleventh Day of *April*, a Petition of the Mayor, Aldermen, and Common Council of the Town and County of the Town of *Nottingham* (in Council assembled) in Behalf of themselves, and the rest of the Merchants and Tradesmen dealing in Tobacco in the said Town, was presented to the House, and read; alledging, that the Bill depending in the House for repealing several Subsidies and an Impost then payable on Tobacco, &c. would be highly prejudicial to them, and encroach on their Liberties and Properties, and expressing their Apprehension that the said Bill, if passed into a Law, would subject them to great Oppressions and Inconveniencies, by the Officers frequently entering their Houses, and taking Account of their Stocks, which such Officers might discover to any others; by being obliged to seek for, and send Permits with their Goods, and the Hardships thereof with Respect to Time; by not being allowed the valuable Liberty of redressing their Grievances by a Jury; and by the great Trouble, Charge and Loss of Time in weighing their Tobacco at any Time required by the Officer, and the Prejudice to their Goods in uncasking and breaking them; and therefore beseeching the House to consider and favour their Petition, and prevent the passing a Law which would be any Ways destructive of the Trade, or dangerous to the Liberties of the Petitioners, which Petition was ordered to lie upon the Table.

Immediately after which, a Petition of the principal Inhabitants and Traders of the ancient and loyal City of *Coventry*, in Behalf of themselves and the rest of their Fellow Citizens, was presented to the House, and read; expressing the Apprehension of the Petitioners, that the Bill depending in that House, for repealing several Subsidies and an Impost then payable on Tobacco, &c. would

would be prejudicial to the Trade of the Nation in general, and of the said City in particular, and also injurious to the Liberties of their Fellow Subjects; and therefore praying the House to take the Premises into Consideration, and give the Petitioners such Relief therein, as to the House should seem meet. Which Petition was likewise order'd to lie upon the Table.

The Order of the Day being then read for the second Reading of the said Bill, the Serjeant at Arms attending the House, was of Course ordered to go with the Mace into *Westminster-Hall*, and the Courts there, and into the Court of Requests, and the Places adjacent, and summon the Members there to attend the Service of the House; and he being returned, instead of reading the Bill a second Time, a Motion was made by Mr. *Estlin* of the *E.* that the Bill should be read a second Time upon the twelfth Day of *June* then next: Tho' by this Motion it evidently appeared that the Bill was to be dropt; yet some of the Gentlemen who had from the Beginning appeared strenuously against the whole Scheme, were not satisfied with letting it drop in so easy a Manner, and therefore they were for having it rejected; but this Proposition did not come to a Motion, much less to the Question, so that the first Motion was agreed to without Opposition; and upon the *Friday* after, which was the Day appointed for the House to resolve itself into a Committee of the whole House, to consider further of the most proper Methods for the better Security and Improvement of the Duties and Revenues then charged on and made payable from Tobacco and Wine, it was resolved, that the House would upon the 14th Day of *June* then next, resolve itself into the said Committee: 118 against 76; so that that Part of the Scheme relating to the Duties on Wine was never laid before the House.

There having been great Crowds of People about the House on the 11th of *April*, and some of them having behaved in a tumultuous Manner, the next Day Complaint was made to the House by several Members, who had voted in Favour of the Scheme, that a tumultuous Crowd of People had been assembled together the Night before, and several Days during the Session, in the Court of Requests, and other Avenues to that House; and that they themselves and several other Members of the House had been last Night, in their Return from the House, menaced, insulted, and assaulted, by a tumultuous

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multuous Crowd of People in the Passages to the whereupon it was resolved and declared *venite contra-dicente*; 1st, That the assaulking, insulting, or menacing any Member of that House, in his coming to or going from the House, or upon the Account of his Behaviour in Parliament, was an high Infringement of the Privilege of that House, a most outrageous and dangerous Violation of the Rights of Parliament, and an high Crime and Misdemeanor. 2d, That the assembling and coming of any Number of Persons in a riotous, tumultuous, and disorderly Manner to that House, in order either to hinder or promote the passing of any Bill or other Matter depending before the House, was an high Infringement of the Privilege of that House, was destructive of the Freedom and Constitution of Parliament, and an high Crime and Misdemeanor. 3d, That the inciting and encouraging any Number of Persons to come in a riotous, tumultuous, and disorderly Manner to that House, in order either to hinder or promote the passing of any Bill or other Matter depending before the House, was an high Infringement of the Privilege of that House, destructive of the Freedom and Constitution of Parliament, and an high Crime and Misdemeanor.

Then it was ordered, 1st, That the Members of that House, who served for the City of *London*, should signify the said Resolutions and Declarations to the Lord Mayor of *London*. 2d, That the Members of that House, who served for the County of *Middlesex*, should signify the said Resolutions and Declarations to the Sheriff of *Middlesex*. 3d, That the Members of that House, who served for the City of *Westminster*, should signify the said Resolutions and Declarations to the High Bailiff of *Westminster*. Which Orders were accordingly signified by the respective Members, who next Day reported their having done so to the House.

On Wednesday the 21st of *March* his Majesty came to the House of Peers, and the Commons being sent for, his Majesty gave the Royal Assent to the following Publick Bills, viz.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

An Act to indemnify Persons, who have omitted to qualify themselves for Employments or Offices, by taking the Oaths, and making and subscribing the Declaration against

against Transubstantiation, and receiving the Sacrament; and allowing them further Time for that Purpose.

An Act for allowing further Time for the Inrollment of Deeds and Wills made by Papists; and for the Relief of Protestant Purchasers and Lessees,

An Act for obviating a Doubt which may arise upon an Act made in the 4th Year of his present Majesty's Reign, entitled, An Act that all Proceedings in the Courts of Justice, within that Part of Great-Britain called England, and in the Court of Exchequer in Scotland, shall be in the English Language; so far as the same doth or may relate to the Court of the Receipt of his Majesty's Exchequer, or to any Members or Branches thereof.

An Act for the free Importation and Exportation of Diamonds, Pearls, Rubies, Emeralds, and all other Jewels and precious Stones.

An Act to explain and amend two Acts of Parliament, one made in the twelfth, and the other in the thirteenth Year of his late Majesty's Reign, for making navigable the River Don in the County of York; and for the better perfecting and maintaining the said Navigation, and for uniting the several Proprietors thereof into one Company.

An Act for rebuilding the Parish Church of St. George the Martyr in the Borough of Southwark, in the County of Surry, as one of the fifty new Churches, directed to be built by two Acts of Parliament, one made in the 9th, the other in the 10th Year of her late Majesty Queen Anne.

And also to four Private Bills.

On Monday the second Day of April, the Order of the Day for the House to resolve itself into a Committee of the whole House, to consider further of the Bill for granting an Aid to his Majesty by a Land-Tax to be raised in Great-Britain, for the Service of the Year 1733, being read, a Motion was made, that it should be an Instruction to the said Committee, that they should be empowered to receive a Clause to enable and direct the several Commissioners to be appointed in the said Bill, for putting the same in Execution, to nominate and appoint a Receiver or Receivers General for each County, Riding, City, Borough, Cinque-Port, Town or Place respectively, within England, Wales, and Berwick, for which they were appointed Commissioners, and

to make the said respective Counties, Ridings, Cities, Boroughs, Cinque-Ports, Towns or Places, for which they were appointed Commissioners, answerable for any Deficiency that might happen by such Receiver or Receivers.

In favour of this Motion it was urged, That the Commissioners in each County, &c. were much better Judges of the Persons proper to be appointed Receivers in the several Counties, &c. than the Gentlemen employed in the Administration; that they were also better Judges of the Persons offered as Sureties for such Receivers; and that it would be a great Advantage to the Publick, which had often suffered by the Insolvency of such Receivers, and the Insufficiency of the Security that had been given for them: However, some Gentlemen in the House thought proper to oppose this Motion, and therefore upon putting the Question it passed in the Negative.

Next Day an ingrossed Bill to render more effectual, an Act made in the ninth Year of the Reign of her late Majesty Queen Anne, intituled, *An Act for securing the Freedom of Parliaments by the further qualifying the Members to sit in the House of Commons*, was read the third Time; which Bill was much the same with what had passed several Times through that House in the preceding Sessions; but upon the Question's being put the Bill had the same Fate as in the former Sessions, the Question passed in the Negative.

On Monday the 9th Day of April, Sir Nathaniel Curzon presented to the House (according to Order) a Bill for the better regulating the Proceedings of Ecclesiastical Courts, within that Part of Great-Britain called England, Dominions of Wales, and Town of Berwick upon Tweed, which was received and read the first Time, and ordered to be read a second Time.

F I N I S.

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Contained in the

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THE
Chronological Diary
For the Year 1733.

CONTAINING

The most remarkable Transactions
and Events, as well Civil as Military,
and Domestick as Foreign, *viz.* Re-
movals, Promotions, Births, Deaths,
Marriages, &c. that happen'd during
the Course of that Year.



L O N D O N :

Printed by S. NEVILL in the *Old Bailey*. 1733.

T H E
Chronological Diary,
 For the Year 1733.



Omitted at the End of last Year.

December 1.

DY'D Mr. Hadley, for many Years one of the Chief Clerks to the Lord Raymond.

— Dy'd at his Seat of Pirn in Scotland, Alexander Horseburgh of that Ilk, Esq;

— Richard Vaughan, Esq; Knight of the Shire for the County of Merioneth, marry'd to Miss Nanny of Namy-Hall in the same County, a rich Heiress.

— The Lady of Sir John Byrns of Cheshire, Bart. safely deliver'd of a Son and Heir.

— Colonel Douglass made Governor of Fort St. Philip in the Island of Minorca.

— The Rev. Mr. Foukes, one of the senior Fellows of Magdalen-College, Cambridge, presented to the Vicarage of St. Katharine Greechurch, London.

— John Wyndham, Esq; Correspondent to the Excise, made a Commissioner for managing the Duty on Hawkers and Pedlars.

— The Rev. Dr. Gally, presented to the Rectory of St. Giles's in the Fields.

— Dy'd Thomas Douce of Nether-Wallopp in the County of Southampton, Esq;

— Dy'd — Fenwick of Lancashire, Esq;

Dec. 2. Dy'd Mr. Jenkins, formerly a noted Banker in Lombard-street.

— Dy'd Mr. George Monk, an eminent Dyer, and many Years Deputy of Dowgate Ward.

— Dy'd the Lady Pickering, Relict of Sir Henry Pickering of Cambridgeshire, Bart.

A 2

Dec. 2.

Dec. 2. Dy'd at *Dublin*, — *Plunket*, Esq; a Roman Catholick Counsellor.

— Dy'd Mr. *Peter Cooper*, formerly an eminent Factor at *Leghorn*.

— Dy'd the Rev. Mr. *Ilive*, Master of a great School at *Kenfington*.

Dec. 4. Dy'd Mr. *Benjamin Parker*, Chief Clerk of the the Bank Transfer Books.

— Dy'd Capt. *Martin* of *Chelsea*, an old Officer.

— Dy'd at the Duke of *Queensborough's*, the celebrated Mr. *John Gay*.

— Dy'd at the *Bath*, the Right Rev. Dr. *Baker*, Lord Bishop of *Norwich*. He was consecrated, *Aug. 11, 1723*, Bishop of *Bangor*; and *Dec. 19, 1727*, he was translated to *Norwich*, in the Room of Dr. *John Leng*, deceas'd.

6. Dy'd *Obadiah James* of *Turnham Green*, Esq;

7. Dy'd at *Lisnaskea* in *Ireland*, *William Leland*, Gent. aged 139.

8. The Lady of the Right Hon. *Gerald de Courcy*, Lord *Kingsale* of *Ireland*, safely deliver'd of a Daughter.

10. Dy'd Sir *John Armitage*, of *Kirklees* in *Yorkshire*, Bart.

— Dy'd the Rev. Dr. *Gaskarth*, Rector of *Alhallowes Barking* near *Tower-hill*.

— Dy'd the Right Hon. the Lady *Mary Howard*, Relict of the late Lord *Thomas Howard* of *Worksope*, and Mother to the Duke of *Norfolk*.

— Dy'd Dame *Mary Houblon*, Relict of Sir *John Houblon*, Lord Mayor of *London* in 1695.

11. Dy'd *William Sheppard* of *West-Ham* in *Essex*, Esq;

— Dy'd Col. *Norton* of *Hampshire*, a Gentleman of a very large Estate, which he bequeathed to Charitable Uses, and made the Parliament of *Great Britain* his Executors.

12. Dy'd *Thomas Gape*, jun. Esq; Member of Parliament for *St. Alban's*, *Hertfordshire*.

— The Right Hon. *John Lord Viscount Lymington*, kiss'd their Majesties Hands, upon his being appointed Justice and Warden in Eyre of all his Majesty's Forests, &c. North of *Trent*.

— *Richard Onslow*, Esq; Member of Parliament for *Guildford*, and Colonel in the First Regiment of Guards, made Adjutant of his Majesty's Forces.

— Col. *Paget* appointed to the Regiment of Foot late Col. *Dubourgay's*.

Dec. 12.

Dec. 12. *Thomas Wentworth, Esq;* Adjutant-General of his Majesty's Forces, appointed to the Regiment of Foot commanded by Col. *Cope*.

— Dy'd the Hon. the Lord *Villiers*, eldest Son of the Right Hon. the Earl of *Grandison* of the Kingdom of *Ireland*.

14. Dy'd *Robert Jacombe, Esq;* Member of Parliament for the Borough of *Thetford* in *Norfolk*, and Deputy Paymaster of the Forces.

15. Dy'd Sir *Thomas Pendergast, Bart.*

16. Dy'd the Right Hon. the Countess of *Sutherland*, Wife of *John* Earl of *Sutherland*, one of the 16 Peers for *Scotland*.

— Dy'd at *Bath*, in the 60th Year of his Age, the Right Rev. Dr. *William Bradshaw*, Lord Bishop of *Bristol*.

20. Dy'd Sir *William Jackson* of *Edmonton, Kt.*

— Dy'd Mr. *Baker* of *Clapham*, an eminent Wine-Merchant.

21. Dy'd Mr. *Willis*, Master of the Vintners Company.

23. Dy'd his Grace *Thomas Duke of Norfolk*, Hereditary Earl-Marshal of *England*, Earl of *Arundel, Surrey, Norfolk*, and *Norwich*, Baron *Howard* of *Mowbray, Segrave, Broase, and Gower, Fitz-Alan, Warren, Clun, Oswalston, Maltravers, Greystock, Furnival, Verdon, Lovetot, Strange of Blackmere, and Howard of Castle-rising*; Premier Duke, Earl and Baron in *England*, next the Blood Royal, and Chief of the illustrious Family of the *Howards*. His Grace marry'd *Mary*, Daughter and sole Heir to Sir *Nicholas Sherbourne* of *Stonyhurst* in the County of *Lancaster*, Bart. by whom he had no Issue; so that the Honours and Estate devolved on his Brother, *Phillp Howard*, now Duke of *Norfolk*.

— Dy'd Dr. *Brown*, an eminent Physician.

— Dy'd Capt. *Wilson*, of the Third Troop of Horse Guards.

— Dy'd at *Paris*, the Countess Dowager of *Seaforth*.

— Dy'd *Joseph Thurston* of the Inner Temple, Esq; Author of the Poem called the *Toilette*.

— Dy'd Miss *Wills*, Niece to Sir *Charles Wills*.

— Dy'd *John Wilde* of *Sevenoaks* in *Kent*, Esq;

25. Dy'd the Rev. Mr. *Charles Bertheau*, Minister of the French Church in *Threadneedle-street*.

— Dy'd the Rev. Mr. *Samuel Smith*, Master of the Free School at *Tiverton*.

Dec. 25:

Dec. 25. Dy'd at his Lodgings at *Epsom*, the Right Hon. *William Paston*, Earl of *Yarmouth*, by whose Death a Pension of 2000*l.* per Ann. reverted to the Crown. By his Death, the Title of Earl of *Yarmouth* became extinct in the *Paston* Family.

— *Edward Trelawny*, Esq; Representative in Parliament for *Westlow* in *Cornwall*, made one of the Commissioners of the Customs.

— Dy'd *John Bowles* of *Northfleet* near *Gravesend* in *Kent*, Esq; formerly an eminent Merchant of this City.

27. Dy'd Brigadier-General *Kellum*.

— Dy'd at *Edinburgh*, *John Fowlis*, jun. of *Woodhall*, Esq;

— Dy'd at his Seat at *Oulton* in *Cheshire*, *John Eger-ton*, Esq;

29. Dy'd *Samuel Smith* of *Weald-Hall* in *Essex*, Esq; a Gentleman of a very large Estate.

30. Dy'd *Theophilus Yong* of *Greenwich*, Esq; formerly an African Trader.

31. Dy'd Capt. *Hafferwood*, formerly Commander of an *East-India* Man.

JANUARY, 1733.

Jan. 1. Dy'd at her House in *Pall-Mall*, the Right Hon. the Countess of *Clanrickard*.

— Sir *John Eggleton* of *Roehampton*, Bart. marry'd to Miss *Langdale*, eldest Daughter of *John Langdale* of *Putney*, Esq; a Lady of 15000*l.* Fortune.

— Dy'd at *Bristol*, Mr. *Nathaniel Axell*, a great Trader to *Spain* and *Portugal*.

2. The Lady of Sir *Robert Furnese*, Bart. one of the Knights of the Shire for *Kent*, safely brought to Bed of a Daughter.

— Dy'd Mr. *James Beverley*, Clerk of the Checque to his Majesty's Yard at *Deptford*.

3. Dy'd Mr. *Samuel Woodham* of *Leadenhall-street*, an *East-India* Merchant.

— Dy'd at *Edinburgh*, Mrs. *Charteris*, Relict of the noted Col. *Charteris*.

4. Dy'd the young Lord *Coningsby*, only Son of the Countess of *Coningsby*, by Sir *Michael Newton*, Kt. of the *Bath*.

5. Dy'd the Hon. Col. *Hawker*, Lieutenant Governor of *Portsmouth*.

Jan. 6. Dy'd *Richard Darnelly* of *Barnet* in *Hertfordshire*, Esq;

— Dy'd *Bainbrig Buckeridge* of *Hackney*, Esq; formerly in the Service of the *East-India Company* at *Fort St. George*.

7. Dy'd *John Bone* of *Rochampton*, Esq; formerly an eminent *Spanish Merchant*.

8. Dy'd *Mr. Leonard Woodeson*, Clerk to the Commissioners of his Majesty's Board of Works.

— Dy'd *Sir Geoffry Palmer* of *Carlton* in *Northamptonshire*, Esq;

— Dy'd *Christopher Rawlinson* of *Cark-Hall* in *Lancashire*, Esq; a Gentleman particularly esteemed for his Knowledge in the Northern Languages. He publish'd at his own Expence, a beautiful Edition of *King Alfred's Translation of Boethius de Consolatione Philosophia* in the *Saxon Tongue*.

— Dy'd *Justice Pattie* of *St. Katharine's*.

10. Dy'd the Lady *Meyer*, Relict of *Sir Peter Meyer*, Kt. late an eminent Merchant of this City.

— Dy'd at the *Bath*, *Mrs. Seymour*, Wife of *Henry Seymour* of *Handford* in *Dorsetshire*, Esq;

11. *Philip Broke* of *Nafton* in *Surrey*, Esq; marry'd to *Miss Bowes* of *Bury St. Edmunds*, a young Lady of 10,000*l.* Fortune.

12. Dy'd *William Leigh*, Esq; one of the Lieutenant Colonels of the Second Regiment of Foot Guards.

13. Dy'd *Laurence Sexton*, Esq; Page of the Bed-chamber to his Majesty.

14. Dy'd *Mr. Robert Orme*, a very ancient Nonjuring Clergyman.

17. Dy'd at his House in the Admiralty, the Right Hon. *George Lord Viscount Torrington*, Baron *Byng* of *Southill*, Knight of the *Bath*, and Bart. Admiral and Commander in Chief of his Majesty's Fleet, Rear Admiral of *Great Britain*, First Lord Commissioner of the Admiralty, and one of his Majesty's Most Honourable Privy Council. He went to Sea with the King's Letter in the Year 1678, and 'rose gradually by a Course of long Services, to the High Station in which he dy'd, there having scarce been an Action at Sea of Consequence where he was not present, and being never unsuccessful in any, where he commanded. He also gave no less eminent Proofs of his Dexterity in Negotiation, than of his Maritime Skill and Courage. He was created a Baronet, November 15, 1715, and Baron *Byng* of *Southill*,

Southill, and Viscount Torrington, Sept. 9, 1721. He marry'd *Margaret*, Daughter to *James Masters* of *East Langden* in the County of *Kent*, Esq; by whom he had Issue five Sons and one Daughter. He was succeeded in Honour and Estate by his eldest Son *Pattee Byng*, Esq; one of his Majesty's Most Hon. Privy Council, Treasurer of the Navy, and Representative in Parliament for *Bedford*.

Jan. 17. Dy'd at *Kensington*, the Right Hon. the Viscountess Dowager *Hatton*.

— Dy'd Sir *Samuel Jackson*, formerly a great Trader to *Russia*.

— Dy'd at his House in *Spring-Garden*, *William Lewis le Grand*, Esq; one of the Gentlemen of the Bed-chamber to his Majesty.

— Dy'd Mr. *Arnold*, an eminent Apothecary and Common-Council Man of the Ward of *Farringdon Within*.

— The Rev. Dr. *John Conybeare*, made Dean of *Christ-church, Oxon*.

— The Rev. Dr. *Robert Butts*, Dean of *Norwich*, made Bishop of that See.

— The Rev. Dr. *Charles Cecil*, Rector of *Hatfield*, made Bishop of *Bristol*.

18. Dy'd Mr. *Charles Slaughter* of *Hackney*, an eminent and wealthy *Blackwell-Hall* Factor.

— Mr. *Cade*, Son of Dr. *Cade*, marry'd to Miss *Perry*, Sister to Alderman *Perry*, a young Lady of 10,000 l. Fortune.

— Dy'd Mr. *John Casbird*, Common-Council Man for *Cardwainers Ward*.

— Dy'd *John Hastings*, Esq; Verdurer of *Whittlewood Forest* in *Northamptonshire*.

19. Dy'd Mr. *James Smith*, Clerk of the *Spanish Hall* in *Blackwell-Hall*.

— Dy'd *Thomas Scot* of *Chigwell-Hall* in *Essen*, Esq;

— The Right Hon. Sir *Charles Wager*, one of the Lords of the Admiralty, appointed First Commissioner of the Admiralty, and made one of his Majesty's Most Hon. Privy Council.

20. Dy'd Mrs. *Anne Tench*, Daughter to Sir *Fisher Tench*.

— Dy'd *William Sharpe*, Esq; Clerk of the Chequer.

— Dy'd Major *Handy*, an old Officer in the Army.

— Dy'd the Hon. *Montague Blundell*, Esq; only Son of the Right Hon. the Lord Viscount *Blundell*.

Jan. 21.

Jan. 21. Died at Hackney, *Bernard Mandeville, M.D.*
Author of the *Fable of the Bees*.

— Died *Dr. James Campbell*, Physician in ordinary
to his Majesty in Scotland.

— Died *Mr. Brown* of Monument-yard, a wealthy
Merchant.

— Died *Mr. Perry*, a wealthy *Norwich* Factor of
Bucklersbury.

— Died *Dr. Moza*, an eminent Antiquary and Bo-
tanist.

Jan. 22. Died at his House in *Leicester-Fields*, *Sir*
Christopher Desbouverie, Knt.

— Died at his House in *Halfway Square*, *Thomas Lord*
Foley, Baron of *Kidderminster* in the County of *Worcester*;
so created by *Queen Anne* in the Year 1711. He mar-
ried *Mary*, sole Daughter and Heir to *Thomas Strade, Esq*,
Serjeant at Law, by whom he had several Children, two
only of which were living at the Time of his Death,
viz. *Thomas*, who succeeded him in the Honour and
Estate; and a Daughter.

— Died at his House in *St. James's-Square*, the Right
Hon. *Thomas Herbert*, Earl of *Pembroke and Montgomery*,
Baron *Herbert* of *Cardiff*, Baron *Ross* of *Kendall*, *Parr*,
Fitz-hugh, *Marmion*, *St. Quintin*, and *Herbert* of *Shur-*
land, Knight of the Most Noble Order of the Garter;
Lord Lieutenant of the County of *Wilts.* one of his Ma-
jesty's Most Hon. Privy Council, one of the Governors
of the *Charter-House*, Fellow of the *Royal Society*, and
one of the Society for propagating the Gospel in Fo-
reign Parts.

In the Beginning of the Reign of *King William* he was
sent Ambassador Extraordinary to the *States-General*;
afterwards one of the Privy Council, Colonel of a Regi-
ment of Marines, first Commissioner of the Admiralty,
first Plenipotentiary of the Treaty of *Ryswick*, Knight
of the Garter, Lord High Admiral of *England and Ire-*
land, and President of the Council.

In the Year 1702 (the 1st of *Queen Anne*) he was
again made President of the Council. In 1706, he was
appointed one of the Commissioners to treat of an Union
between *England and Scotland*; also Lord-Lieutenant of
Ireland; and the Year following was again made Lord
High Admiral of *Great Britain*. He married to his first
Wife *Margaret*, sole Daughter and Heiress to *Sir Robert*
Sawyer, Knt. Attorney-General in the Reign of *King*
Charles II. by whom he had five Sons and five Daughters.
By his second Wife *Barbara*, Daughter to *Sir Henry*

SKingsby, of *Yorkshire*, he had one Daughter. In the Year 1725, he married a third Wife, *Miss Mary How*, Sister to *Sir Scroop Lord Viscount How*, one of the Ladies of her Majesty's Bed-chamber; but had no Issue by her. He was succeeded in Honour and Estate by his eldest Son, the Right Hon. the Lord *Herbert*, Colonel of the First Troop of Horse Guards, and one of the Lords of the Bed-chamber to his Majesty.

Jan. 22. Died *Mr. Hals*, a noted Broker in *Exchange-Alley*.

— Died the Lady *Thorold*, Relict of *Sir John Thorold* of *Lincolnshire*, Bart.

— Died *Mr. Taylor*, an eminent Wine Merchant in *Mark-lane*, and Common-Council Man for *Tower Ward*. 'Tis remarkable that his Wife died the Day before him.

Jan. 23. *Matthew Norris*, Esq; late Commander of his Majesty's Ship the *Lowestoff*, and Son of *Sir John Norris*, was unanimously elected a Representative in Parliament for the Town and Port of *Rye*, in the Room of his Brother *John Norris*, Esq; whose Place was vacated by his Acceptance of the Place of Usher of his Majesty's Custom-House in the Port of London.

— The Lady of *Henry Bramley*, Esq; one of the Knights of the Shire for the County of *Cambridge*, was brought to Bed of a Son and Heir, at *Mr. Bramley's House* in *Grosvenor-square*.

Jan. 24. Dy'd at his House in *Charles street*, *Westminster*, *Capt. Askins*, belonging to the Third Regiment of Foot-Guards.

— Died at *Bath* *Sir John Blunt*, chief Projector of the fatal *South-Sea Scheme* in 1720.

— Died at her House in *Conduit-street*, near *Hanover-square*, her Grace the Dutchess Dowage of *Rutland*.

Jan. 25. Died at his House in *St. Swithen's lane*, in the 83d Year of his Age, *Sir Gilbert Heathcote*, Bart. Father of the City, Alderman of *Bridge Ward Without*, Colonel of the Blue Regiment of Train'd Bands, one of the Directors of the Bank, and Member of Parliament for *St. German's* in *Cornwall*. He is said to have dy'd worth 500,000*l*.

— Died *Robert Booth*, Esq; Member of Parliament for *Badmington* in *Cornwall*.

— Died *Mrs. Cibber*, a celebrated Actress.

Jan. 25. *William Finch*, Esq; his Majesty's Minister Plenipotentiary to the States-General, was married to the Lady *Anne Douglass*, Sister to his Grace the Duke of *Queensberry* and *Dover*.

Jan. 26.

Jan. 26. Died Mr. Debonair, an eminent French Merchant in Laurence-lane.

— Died Justice Blagny, at his House in Wardour-street, near Soho-square.

— Died Mr. Ball of Hoxton, an eminent West-India Merchant.

Jan. 27. Dy'd William Ravenhill, at his House at Southgate in the 72d Year of his Age.

Jan. 28. Dy'd Mr. Silver, Post-Master of Gravesend.

Jan. 29. George Trevelyan, Esq; only Son of Sir John Trevelyan, Bart. marry'd to Miss Calverley, Daughter of Sir Walter Calverley in the County of York, Bart.

— Richard Eliot, Esq; chosen Member of Parliament for St. Germans in Cornwall, in the Room of Sidney Godolphin, Esq; deceas'd.

30. Dy'd Dr. Richard Robinson, Senior Fellow of the College of Physicians, and Fellow of the Royal Society.

— The Rev. Dr. Leybourn of Stepney, Rector of Stepney, marry'd to Miss Towne of Bow, a Lady of 6000*l.* Fortune.

Jan. 31. The Rev. Mr. Woodford was presented by the Lord Chancellor, to the Living of Alhallowes London-Wall, in the Room of the Rev. Mr. Richardson, deceas'd.

— Sir Richard Hopkins and John Bristow, Esq; elected Sub and Deputy Governors of the South-Sea Company.

— The Rev. Dr. Tyrwhit, appointed Canon-Residentiary of the Cathedral Church of St. Paul, in the Room of the Rev. Dr. Godolphin, deceas'd.

— Robert Kendall, Esq; chose Alderman of Cheap Ward, in the Room of Sir William Humphreys, Bart. who removed to Bridge Ward, being senior Alderman.

FEBRUARY.

Feb. 1. Dy'd John Waters of Stepney, Esq;

2. Dy'd at Kensington, the Hon. Robert Price, Esq; one of the Judges of the Court of Common-Pleas.

— Dy'd at Brentford, Sir John Shorter, Kt.

— Dy'd at Mortclack, Robert Juxon, Esq;

— Dy'd Mr. Crull, an eminent Exchange-Broker.

— Dy'd the Right Hon. John Fitzgerald Lord Villiers, Grandson and Heir to the Right Hon. the Earl of Grandison in Ireland.

Feb. 2. The Rev. Dr. *Friend* resigning his Place of Head Master of *Westminster School*, the Rev. Mr. *Nichols*, Second Master, was appointed to succeed him; and the Rev. Mr. *Johnson* to succeed Mr. *Nichols*.

3. Dy'd the Lady *Sandford*, Relict of Sir *Richard Sandford*.

— Dy'd Capt. *Weld*, formerly in the Service of the *East-India Company*.

— Dy'd at *Bath*; *Benjamin Rokby*, Esq;

4. Dy'd *James Hustler* of *Yorkshire*, Esq;

— Dy'd *James Wilkinson* of *Croydon*, Esq;

— About this Time came Advice of the Death of Lieutenant General *Dillon*, an old experienc'd Officer in the *French Service*.

— Dy'd Capt. *Swall*, an old Officer in the *Army*.

— Dy'd Mr. *John Kerwood*, Steward to the Right Hon. the Lord *Brooke*.

— *John Scrivener* of *Ewell* in *Surrey*, Esq; marry'd to Miss *Lennard*, Niece of Sir *Stephen Lennard*, Bart.

5. The Right Hon. the Lord *Effingham Howard*, took the Oaths to qualify himself as Deputy Earl-Marshal of *England*.

— *John Sharpe*, Esq; appointed Clerk of the Cheque, in the Room of his Father, deceas'd.

6. Dy'd *John Fotherby* of *Great George-street* by *Hanover Square*, Esq;

— Dy'd *Francis Cammings* of *Foxcot* in *Warwickshire*, Esq;

— Dy'd Mr. *Francis Beuzelin*, an eminent *Spanish Merchant*.

— Dy'd *John Moleworth* of *Cornwall*, Esq;

— *Charles Fitzroy*, Esq; chosen Member of Parliament for *Thetford* in *Norfolk* without Opposition, in the Room of *Robert Jacombe*, Esq; deceas'd.

7. Dy'd Mrs. *Anne Forfeit*, a young Lady of 17000 l. Fortune.

8. Dy'd Capt. *Sloe*, of the Second Regiment of Foot Guards.

— Col. *Jackson* appointed Deputy-Governor of *Portsmouth*, in the Room of Col. *Peter Hawker*, deceas'd.

— Dy'd *Richard Turner* of *Gray's-Inn*, Esq;

— Dy'd *John Noble* of *Wandsworth*, Esq;

— General *Wade* made Governor of *Fort William* in *Scotland*, in the Room of General *Sybourgh*, deceas'd.

Feb. 3.

Feb. 8. *Robert Reeve*, Esq; one of his Majesty's Counsel learned in the Law, appointed Judge of the Court of Common Pleas, in the Room of *Mr. Justice Price*, deceas'd.

— The Lord *Hinton*, eldest Son and Heir apparent of the Right Hon. the Earl *Poulett*, kiss'd their Majesties Hands, on being appointed one of the Lords of his Majesty's Bedchamber, in the Room of his Grace the Duke of *Hamilton and Brandon*, who hath resign'd.

9. Dy'd *William Lethieullier* of *Maddox-street* near *Hanover-Square*, Esq;

— Dy'd *William Meggs*, Esq; Quarter-Master to the Duke of *Bolton's* Regiment of Horse.

10. Dy'd the Right Hon. the Lord *Harold*, only Son to his Grace the Duke of *Kent*.

— Dy'd *Samuel Goodyard* of *Wendover* in *Buckinghamshire*; Esq;

11. Dy'd *Mr. Richard Woodward*, formerly an eminent Banker in *Exchange-Alley*

— Dy'd *Capt. Perry*, a famous Engineer, who stopp'd *Dagenham* Breach.

12. Dy'd Sir *Henry Bunbury* of *Bunbury* in *Cheshire*, Bart. who had been Member for *Ghester* in many successive Parliaments.

— Dy'd *Edward Cook* of the *Middle-Temple*, Esq; Barrister at Law.

About this Time came Advice of the Death of Sir *Thomas Grosvenor*, Bart. at *Naples*.

Feb. 13. *George Crowle*, Esq; Member of Parliament for *Kingston upon Hull*, kiss his Majesty's Hand on being appointed one of the Commissioners of the Victualling-Office, in the Room of *Edward Trelawney*, Esq; made one of the Commissioners of the Customs.

— His Majesty issued out his Letters Mandatory to the Fellows of *Eton College*, for electing *Dr. Henry Bland*, Dean of *Durham*, Provost of that College in the Room of the Rev. *Dr. Godolphin*, deceas'd.

— The Right Hon. the Earl of *Cholmondeley* appointed Governor of *Guernsey*.

Feb. 15. Died *Mr. Joseph Lowe* of *Sherburn-lane*, Merchant.

Feb. 17. Died *Mrs. Western* of *Bloomsbury-square*, a Lady of very great Fortune.

— Dy'd Sir *Richard Everard* o^c *Muck Waltham* in *Essex*, Bart. late Governor of *North Carolina*.

Feb. 18.

Feb. 18. Dy'd the Lady *Hedges*, Relict of Sir *Charles Hedges*.

About this Time came Advice of the Death of *John Jekyll*, Esq; Nephew to the Hon. Sir *Joseph Jekyll*, Master of the Rolls, at *Boston* in *New England*. As also of the Death of *Abraham Borden*, Esq; Treasurer of *Rhode-Island*.

— Dy'd *John Winer* of *Rocheſter*, Esq;

— Sir *John Heathcote*, Son and Heir of Sir *Gilbert Heathcote*, elected Member of Parliament for *Bodmin* in *Cornwall*, in the Room of *Robert Booth*, Esq; deceas'd.

— The Hon. *Charles Leigh* of *Leighton* in *Bedfordshire*, Esq; elected Knight of the Shire for that County, in the Room of the late Lord *Torrington*.

— *Richard Fitz-William*, Esq; appointed Governor of the *Bahama Islands*, in the Room of Capt. *Woodes Rogers*, deceas'd.

Feb. 20. The Lady of the Right Hon. the Earl of *Litchfield* was safely deliver'd of a Son.

— About the same Time the Lady of the Right Hon. the Lord *Malton* was safely deliver'd of a Daughter.

Feb. 22. Dy'd *Robert Cheſter*, Esq; one of the Directors of the *South-Sea Company* in the Year 1720.

— Dy'd ——— *Jones*, Esq; Counsellor at Law.

— Dy'd Mrs. *Leister*, Mother of *Richard Leister*, Esq; Member of Parliament for *Shrewsbury*.

— Dy'd Mrs. *Booth* of *Hackney*, Sister to Sir *William Humsfreys*, Knt. Alderman of *Bridge Ward Without*.

Feb. 23. Died the Lady of *John Sawbridge* of *Alinty* near *Ashford* in *Kent*, Esq;

— Died at *Bath*, the Lord *William Beauclerc*, Brother to his Grace the Duke of *St. Alban's*.

— Died Mrs. *Carney*, a Widow Lady, in the 110th Year of her Age.

— *Henry Talbot*, Esq; Brother to the Solicitor General, made one of the Commissioners for the Salt Duties.

— Died *Francis Piggot* of *Wadhurst* in *Suffex*, Esq;

— Died Sir *Joseph Spence*, Knt.

Feb. 24. Died Mr. *Twisden*, Uncle to Sir *Thomas Twisden*.

— — *Shelley*, Esq; appointed Auditor of his Majesty's Crown Land Revenues, in the Counties of *Cheſter*, *Salop*, *Monmouth* and *Hereford*.

Feb. 24.

Feb. 24. The Lady of the Hon. *Thomas Townshend*, Esq; one of the Tellers of the *Exchequer*, second Son to the Right Hon. the Lord Viscount *Townshend*, safely delivered of a Son.

Feb. 25. Died Mr. *Hayes*, an eminent Preacher among the Quakers.

Feb. 26. Died Mr. *Francis Mason*, an eminent *Portugal* Merchant.

— Died the Lady *Bellafyse*, Relict of Sir *Henry Bellafyse*, Knt.

— *Henry Fox*, Esq; Representative in Parliament for *Cricklade*, and youngest Son to the late Sir *Stephen Fox*, married to Miss *Dives*, Maid of Honour to her Majesty.

— Died *Thomas Wright*, Esq; formerly a Water-Guild.

— *William Horner*, Esq; appointed one of the Masters Extraordinary of the Court of Chancery.

— Died at the *Bath*, the Lady *Wilson*, Relict of Sir *Thomas Wilson*, said to have died worth 50,000*l*.

— Capt. *Farrington*, Brother to her Grace the Dutchess Dowager of *Ancafter*, appointed Auditor of the South Part of the Principality of *Wales*, in the room of *Sidney Godolphin*, Esq; decess'd.

— The Mayor and Corporation of *Salisbury* chose the Right Hon. *Henry*, Earl of *Pembroke* and *Montgomery*, Lord High Steward of that City, in the room of the late Earl his Father.

Feb. 27. Sir *Thomas Allin* made Serjeant at Arms to the Treasury, in the room of Sir *Philip Ryley*, decess'd.

— The Rev. Dr. *John Baron* appointed Dean of *Norwich*.

About this Time came Advice from *Ireland* of the Death of Sir *Ralph Gore*, one of the Lords Justices there, and Speaker of the House of Commons in that Kingdom.

— Died *William Blundel*, of *Hampshire*, Esq; a Gentleman of a considerable Fortune, and Father-in-Law to Sir *Charles Gunter Nicoll*, one of the Knights of the *Bath*.

Feb. 28. Died Mr. *James Pinfold*, an eminent Proctor of *Doctors Commons*.

— Died *Thomas Brayfield*, Esq; Deputy Warden of the Fleet-Prison.

March 1. This being the Anniversary of her Majesty's Birth-Day, when she entered into the 51st Year of her Age, there was a very numerous Appearance at Court on that Occasion.

March 1. Died at Newington, Mr. Warren, an eminent and rich *West-India* Merchant.

— Died near *Hyde Park* Corner, in the 116th Year of his Age, — *Gundy*, Esq; worth above 10,000 l.

March 2. Miss *Sarah Pitt*, Grand-Daughter to the famous *Diamond Pitt*, appointed a Maid of Honour to her Majesty.

— Died at *Hoddesdon* in *Hertfordshire*, *Thomas Broom*, Esq; formerly an eminent *Hamburg* Merchant.

— Died *Sir Hugh Smithson*, Bart. reputed worth 50,000.

March 4. Died *John James*, Esq; Barrister at Law.

— Died *Capt. Frome*, an old Officer.

March 5. Died at *Dartford* in *Kent*, *John Woodward*, Esq; formerly a great Trader to the *West-Indies*.

— 6000 lb. Weight of Tea, with four Half Anchors of Brandy, brought into the King's Wardhouse by a Custom-house Smack, which Seizure he made on board a French Vessel from *Dunkirk* near *Harrwich*.

March 7. *Charles Selwyn*, Esq; kissed their Majesties Hands on being appointed Vice-Chamberlain of his Majesty's Household.

March 9. A Patent passed the Broad Seal, appointing *Sir John Jennings*, Knt. to hold the Office or Place of Real-Admiral of Great Britain and the Admiralty thereof, in the Room of the late Lord Torrington.

— Died *Edward Bellamy*, Esq; one of the Benchers of the Inner-Temple, Master of the Crown-Office, and Auditor-General of the Dutchy of Lancaster; said to be worth 60,000 l.

— Died at her House in *Greek-street*, *Soho*, the Lady *Gore*, who was nearly related to the Lady *Oxford*, of whom she had an Allowance of 500 l. per Annum, which now falls to her only Daughter.

— Died at his House at *Uxbridge*, *John Crawford*, Esq; formerly in Commission of the Peace for the County of *Middlesex*.

March 10. *Sir Thomas Pendergast*, Bart. a Relation to her Grace the Dutchess of *Richmond*, elected Representative in Parliament for the City of *Chichester*; in the room of the Lord *William Beauclerk*, deceased.

— Died at *Enfield*, *John Boucher*, Esq; formerly an eminent *Hamborough* Merchant of this City.

— Died suddenly, at *St. Alban's*, Mr. Alderman *Carr*, who kept the *White Hart* Inn there.

March,

March 11. The Hon. *Tho. Hervey*, Esq; 2d Son to the Earl of *Bristol*, appointed Vice-Chamberlain of her Majesty's Household, in the Room of the Lord *William Beauchamp*, deceased.

— Dy'd Mr. *Hopkins*, formerly a great Spanish Trader.

— Dy'd Mrs. *Haughton*, a Widow Lady of *Panton-Breet*, near the Haymarket.

— Dy'd the Lady *Child*, Relict of Sir *Cesar Child* of *Woodbridge*, Bart.

13. Dy'd Mr. *Whitfield*, an eminent Attorney of *New Inn*.

— *George Woodward*, Esq; appointed his Majesty's Envoy Extraordinary to the Kingdom and Republick of *Poland*.

— Mr. *Samuel Torin* elected Common-Council-Man for *Cordwainers Ward* in this City.

14. Dy'd Sir *Robert Furness*, Bart. Knight of the Shire for the County of *Kent*. He is succeeded in Honour and Estate by Sir *Henry Furness*, his Son, a Minor.

— Dy'd *James Young* of *Garnaby Market*, Esq;

— Dy'd *James Bridges*, Esq; Clerk of the Board of Works.

— Dy'd *John Shelton* of *Worcestershire*, Esq;

15. Dy'd Mr. *Samuel Palmer*, lately an eminent *Blackwell Hall* Factor.

— Dy'd Capt. *Slean* of *Woolwich*, an old Officer of the Ordnance.

16. Dy'd Mrs. *Catharine Joyner* of *Theobald's Row*, a rich Maiden Lady.

— *William Webb* of *Derbyshire*, Esq; marry'd to Miss *Baven* of *St. Clement's Danes*.

— *Henry Pye* of *Farringdon* in *Berkshire*, Esq; marry'd to Miss *Warren* of *Wadley* in that County.

— Dy'd *Henry Trent*, Esq; Justice of Peace for *Westminster*.

— Dy'd at *Chelsea*, *John Goodgroom*, Esq;

Dy'd Mr. *Samuel Totten*, Warden of *Trinity College* near *East-Greenwich*.

17. Dy'd at *Putney*, Sir *James Woodward*, Kt. an eminent Turkey Merchant, reputed worth 80,000 l.

— Dy'd at *Jamaica*, Capt. *Bennet*, Commander of the *Flamborough Man* of War.

— Dy'd Mrs. *Jane Egerton*, a Maiden Lady, in *King-street*, *Bloomsbury*.

— Dy'd *Tho. Beake*, Esq; one of the Managers of the Charitable Corporation.

March 18. Dy'd John Hanger of Crosby Square, Esq; an eminent Turkey Merchant.

— The Lady of the Right Hon. Sir William Yonge, Knight of the Bath, safely deliver'd of a Son, at his House in Pall-Mall.

— The Lady of Sir Henry Blount, safely deliver'd of a Son, at his House near Doctors-Commons.

19. Dy'd the Right Hon. Robert Lord Raymond, Lord Chief Justice of the King's Bench. On May 13, 1710, on the Change of the Ministry, he was appointed Solicitor General to her Majesty, but October 14, 1714, his Patent was revoked. In 1720, he was appointed Attorney General by his late Majesty, and in Jan. 1723-4, was called to the Degree of a Serjeant at Law, and next Day appointed one of the Justices of the King's Bench. In Feb. 1724-5, he was made Lord Chief Justice of the King's Bench, in the Room of the Lord Chief Justice Pratt. In 1730, he was elected Governor of the Charter-house, in the Room of the Lord Trevor, and in January 1730-31, created a Peer of Great Britain. He marry'd a Daughter of the late Sir Edward Northey, Kt. Attorney-General to Queen Anne, by whom he left one Son.

— Dy'd Tho. Salt, Esq; Purveyor to his Majesty, and was succeeded by Mr. Wright.

— Dy'd at Dublin, the Right Hon. the Lord Blancey of that Kingdom.

— Dy'd Edward Beckman, Esq; formerly a Director of the East-India Company.

— Came News of the Death of the Lady Catharine Anne Fraser, at Aberdeen in Scotland.

20. Dy'd Samuel Mead, Esq; an eminent Counsellor at Law.

— Dy'd Mrs. Fletcher of Warwick Court, Holborn, a rich Widow Lady.

— Sir George Blachet, Kt. marry'd to Miss Reynolds, Daughter of Reynolds of New Bond-street, Esq;

21. Dy'd Mrs. Mary Caley, a rich Maiden Lady of St. Martin's Lane.

22. The Lady of Sir William St. Quintin, Bart. safely deliver'd of a Son, at her Father Sir John Thompson's House in Savage-Gardens.

— Dy'd Mr. Coffart, and eminent Hamburg Merchant.

— Dy'd Mrs. St. Eloy, Wife of Peter St. Eloy, Esq; one of the Procurators General of the Arches Court of Canterbury.

March 22.

March 22. Dy'd Mr. Driver, an eminent *West-India* Merchant.

— Dy'd Miss Gay, eldest Daughter of Robert Gay, Esq; Member of Parliament for *Bath*.

— Dy'd at *Edinburgh*, Marrian Lady Cathcart, Wife of the Right Hon. the Lord Cathcart of that Kingdom.

23. Dy'd Mrs. Stotherd, Wife of Philip Stotherd of *Essex*, Esq;

— Dy'd Hammond of *Clapham*, Esq; an eminent Wine Merchant.

— Dy'd the Rev. Dr. Steadman, one of the Prebendaries of *St. Paul's*.

— Dy'd Capt. Floyer, Son of the late Sir Peter Floyer.

— Dy'd Mr. Dyer of *Bromley* in *Middlesex*, an eminent Dry Salter.

24. Dy'd Capt. Feltokefield of *Wyche-street*, an old Officer in the Army.

25. Dy'd John Roberts, Esq; formerly Governor of *St. Helena*.

— Dy'd John Boroughs, Esq; an eminent *Hamburg* Merchant.

— The Lady of George Chamberlayne, Esq; Representative in Parliament for the Town of *Buckingham*, safely deliver'd of a Daughter, at his House in *Cecil-street* in the Strand.

26. Dy'd Miss Dive, second Daughter to John Dive, Esq; one of the Under-Tellers of the *Exchequer*.

27. Dy'd Toby Chauncy, Esq; of *Edgecote* in *Oxfordshire*, Member of Parliament for *Banbury*.

— Waring, Esq; only Son of Brigadier Waring, marry'd to Miss Humphreys, Grandaughter to Sir William Humphreys, Bart.

28. Sir John Ellis, Bart. marry'd to Miss Barnes of *Chelsea*.

— Dy'd Mrs. Holland, Wife of Roger Holland, Esq; Member of Parliament for *Chippenham* in *Wilts*.

29. Dy'd the Lady Charlotte Whitfield, Relict of Sir Christopher Whitfield.

— Dy'd Mr. Thomas Blunt, eminent for furnishing Coaches and Horses to Persons of Rank and Quality.

— Dy'd the Lady Werden, Relict of Sir John Werden of *Kensington*, Bart.

— Dy'd Jabber, Esq; Solicitor to the Admiralty.

— Dy'd Mrs. Sherwood, Wife of Mr. Sherwood, an eminent Linnen-draper in *Cheapside*.

March 29. Dy'd William Hyde of Walthamstow in Essex, Esq; formerly a Linnen-draper in Cornhill.

— The Lady of William Aislavie, Esq; Member of Parliament for Rippon in Yorkshire, deliver'd of a Daughter, at his House in Albemarle-street.

30. Samuel Theobalds, Esq; marry'd to Miss Woolley, an agreeable young Lady.

— Mr. Baker, appointed Page of the Back-Stairs to the Princesses Mary and Louisa, in the Room of Henry Clark, Esq;

— Dy'd Thomas Walker, Esq; formerly an eminent Dry Salter.

— Dy'd John Preston of Richmond, Esq;

— Dy'd Mrs. Clifton, Wife of William Clifton, Esq; Brother to Sir Robert Clifton, Knight of the Bath.

31. Dy'd Mr. Hobson, an eminent Laceman in Lombard-street.

A P R I L.

1. Dy'd Thomas Western of Dover-street, Esq;

— Dy'd John Leach of Clarges-street in Piccadilly, Esq;

2. Dy'd at Dublin, Mr. Farquharson, who was marry'd to the Right Hon. the Lady Montjoy.

3. Dy'd the only Daughter and Child of William Rawlinson Earles, Member of Parliament for Malmesbury in Wiltshire.

— Dy'd Robert Ingram of Brook-street, Hanover-Square, Esq;

— Dy'd the Rev. Mr. Parker, Rector of St. Michael's Crooked-lane.

— Charles Shelley, Esq; made Auditor of all his Majesty's Revenues in the Counties of Lincoln, Nottingham, Derby and Chester; and Auditor of the Accompts of the Money arising from Writs of Covenant, and Writs of Entry in the Alienation Office.

— George Lord Forbes, appointed his Majesty's Minister Plenipotentiary to the Czarina.

— William Matthew, Esq; Lieutenant Governor of the Leeward Islands, made Governor of the same.

— Gabriel Johnson, Esq; appointed Governor of North Carolina, in the Room of George Burrington, Esq;

— Sir John Giffard, Bart. marry'd to Miss Arundel, Niece to the Lord Arundel of Wardour.

April 3.

April 3. *Thomas Arlington*, Esq; marry'd to Miss *Johnson*, Daughter of *William Johnson* of *New Bond-street*, Esq; a Fortune of 10,000*l*.

— The Hon. *George Stourton*, Esq; Brother to the Right Honourable the Lord *Stourton*, marry'd to the Lady *Dowager Petre*, at *Ingersone* in *Essex*.

— The Honourable Sir *Alexander Macdonald* of *Slate* in *Scotland*, Bart. marry'd to the Right Hon. *Anne*, Countess Dowager of *Airley*.

— Dy'd Mrs. *Amy Blois*, Relict of *Robert Blois*, Esq;

4. Dy'd the Lady *Trevor*, Relict of the late Sir *William Trevor*, Bart.

— Dy'd Capt. *Flower* of *Limehouse*, an old Commander in the *West-India Trade*.

— Dy'd Mr. *Maylin*, formerly an eminent Brewer in *Southwark*.

— Dy'd Mrs. *Edwards*, Wife of *Vigerus Edwards* of *Sheerlane*, Esq; Secretary to the Commissioners of Bankruptcy.

5. Dy'd *Robert Middleton* of *Chirk-Castle*, Esq; Member of Parliament for *Denbigh*.

— Dy'd Mr. *Brownlow* of *Fulham*, formerly an eminent *West-India Merchant*.

6. Dy'd by a Fall from his Horse, *Gabriel Takourden*, Esq;

— Dy'd Capt. *Wallis*, Sub-Brigadier to the 2d Troop of Guards.

— *Francis Wilmington*, Esq; appointed Solicitor to the Office of Admiralty, in the Room of *Jobber*, Esq; deceas'd.

— Mr. *Petty*, formerly an eminent Linnen-draper, elected Warden of *Trinity College* at *East-Greenwich*, in the Room of Mr. *Samuel Totton*, deceas'd.

7. Col. *Hanmer*, a near Relation of Sir *Thomas Hanmer*, appointed Governor of *Nevis*, in the Room of General *Sybourg*, deceas'd.

— *Peter Pierſon*, Esq; marry'd to Miss *Coppinger*, Daughter of Mr. *Coppinger* of *Baswall Court*.

— Sir *Harry Gough* of *Chelsea*, Bart. marry'd to Miss *Jane Hanper*, Daughter of Sir *John Harper*, Bart.

— Dy'd Mrs. *Rous*, a Widow Lady of *Queen's Square*, near *Great Ormond-street*.

— Dy'd of the Small Pox, the Lady of *William Aſſabie*, Esq; mention'd above as deliver'd of a Daughter; so did the Child next Day.

April 7.

April 7. Dy'd Mr. Conger of Newington, a noted Corn-Factor.

8. Dy'd Thomas Walton of Pall-Mall, Esq;

9. Dy'd Mr. Coleman of Stratford in Essex, formerly an eminent Hamburg Merchant.

— Dy'd Mr. Thomas Calvering of Hummerton, a Trader to the same Place.

— Dy'd Henry Moor of Walthamstow, Esq;

11. Dy'd Mr. Clutterbuck, a wealthy Merchant of this City.

12. Dy'd the Rev. Mr. Wilcox, an eminent Dissenting Minister.

— Mr. Godfrey Thornton, late of Opporto, now of this City, Merchant, marry'd to Miss Astell, Daughter of William Astell, Esq;

— Dy'd Francis Pigot of Wadhurst in Suffex, Esq;

13. Dy'd Philip Middleton, Esq; late a Supercargo in the Service of the East-India Company.

— Dy'd John Gould of Edmonton, Esq;

14. Thomas Hanmer, Esq; marry'd to Miss Percival, eldest Daughter of the Right Hon. the Lord Viscount Percival of the Kingdom of Ireland.

— This Day Mr. Justice Reeve was sworn into the Office of Judge of his Majesty's Court of Common Pleas, in the Room of Mr. Justice Price, deceas'd.

15. Mr. Coales of Kensington, marry'd to Miss Jenkins, Daughter to

Jenkins of Chiswick, Esq;

— Dy'd at her Seat near Barnstable, the Lady Northton, Relict of Sir John Thornton, Bart.

16. Dy'd Samuel Turner of Little Chelsea, Esq;

— Dy'd Joseph Taylor of Wisbeck, Esq;

— John Thompson, Esq; appointed one of the eight Clerks of the Court of Exchequer.

17. Thomas Abney of the Inner Temple, Esq; made Attorney General for the Dutchy of Lancaster, in the Room of Thomas Reeve, Esq; made one of the Judges of the Common Pleas.

— Dy'd Mr. Woodward, formerly an eminent Turkey Merchant.

18. Gower, Esq; a near Relation of the Lord Gower, marry'd to Miss Pearson, a young Lady of a good Fortune.

19. Dy'd James Tullerton, Esq; formerly a great West India Merchant.

— Dy'd Mr. Conyers, a wealthy Dyer in Thames-street.

April 19.

April 19. Dy'd the Right Hon. *Elizabeth* Countess of Orkney, Wife of the Right Hon. *George* Earl of Orkney, and third Daughter of the Right Hon. the Earl of *Jersey*.

20. Dy'd *Thomas* Clarke of *Warwick-street*, *Golden-Square*, Esq;

— Dy'd *Edward* Bradford, Esq; a near Relation to the late Dr. *Bradford*, Bishop of *Rocheſter*.

21. Dy'd Mr. *Freeman* of *Hackney*, an eminent Brewer near *Shoreditch*.

— Dy'd Mr. *John* Thomas, a noted Chymist of *Devereux Court*, *Temple Bar*.

— Dy'd Mrs. *Archer*, a Widow Lady of *Stratford in Eſſex*.

— *John* Middleton, Esq; chosen Member of Parliament for the County of *Denbigh*.

— *William* Lethieulier, Esq; marry'd to Miſs *Kitty Taſh*, third Daughter of Sir *John Taſh*, Kt. and Alderman of *Wallbrook Ward*.

— Mr. *George* Thornhill, an eminent Attorney at Law, marry'd to Miſs *Barnes*, Niece to Mr. *Barnes*, one of Directors of the *East-India* Company, a young Lady of 6000*l.* Fortune.

22. *John* Richardson of *Southwark*, Esq; marry'd to Miſs *Banks*, Daughter of *George* Banks of *Iſlington*, Esq;

— Dy'd 'at his Seat at *Oakley* in *Staffordſhire*, Sir *John* Chetwode, Bart.

— Dy'd the Lady *Robinson* of *Putney*.

24. Dy'd Col. *Morgan*, Deputy Governor of the Iſle of *Wight*, and Member of Parliament for *Yarmouth* in that Iſland.

— *Joſeph* Hudſon of *Roehampton* in *Surry*, Esq; marry'd to Miſs *Saunders* of *Little Ormond-street*.

— Sir *Theodore* Cockburn of *Chelſea*, marry'd to Miſs *Dickens*, Daughter of Mr. *Dickens* of that Place.

25. Dy'd Mr. *Blundel*, formerly an eminent Wine-Merchant of this City.

— Dy'd *John* Greenwood of *Bethnel-Green*, Esq; an eminent *Ruſſia* Merchant.

26. Dy'd Mrs. *Elizabeth* Willis, a Widow Lady, of *Broad-street* near *Golden-Square*.

— Dy'd the Rev. Dr. *Gething*.

— *John* King, Esq; an eminent Attorney, and Coroner of this City, chosen Coroner for the County of *Middleſex*.

April 26.

April 26. James Newberry of Kingston, Esq; marry'd to Miss Langdale, a rich Heiress of Chiswick.

28. William Conolly of the Kingdom of Ireland, marry'd to the Lady Wentworth, Daughter to the Right Hon. the Earl of Strafford.

— Dy'd at Sevenoaks in Kent, *Daniel Newman, Esq;*

— About this Time came Advice of the Death of *Coleman, Esq;* his Majesty's Resident at the Court of Tuscany, *Apr. 8, O. S.*

29. William Wotton, Esq; an Ensign belonging to the Train of Artillery, marry'd to *Miss Seale of Thread-needle-street,* a Fortune of 3000 l.

— Dy'd the Hon. *Mrs. Philadelphia Mohun,* youngest Daughter of *John Lord Mohun,* who serv'd in the Civil War under King *Charles I.* She was Great Aunt to *Charles Lord Mohun,* who was kill'd in a Duel with the late Duke of *Hamilton* in *Hyde Park, Nov. 15, 1712.* She dy'd at 80 Years of Age, unmarried.

— The Lord *William Hamilton,* Brother to his Grace the Duke of *Hamilton,* marry'd to *Miss Hawes,* Daughter of *Francis Hawes, Esq;* a South-Sea Director in the Year 1720.

M A Y.

1. The Rev. Mr. *Jenner,* chosen Lecturer of the united Parishes of *St. Olave Jewry,* and *St. Martin Ironmonger-lane,* in the Room of the Rev. Dr. *Trapp,* who resign'd.

— His Majesty was pleas'd to grant to *John Lightfoot,* the Office of Chirographer of the Court of *Common-Pleas,* in Reversion, after the Death or Resignation of the Interest of *Thomas Bennet* and *Richard Campion, Esqs.* And

Edward Hammond, M. A. to the Archdeaconry of *Dorset,* void by the Death of *Robert Gouper,* late Archdeacon.

2. This Day his Majesty was pleas'd to appoint his Grace the Duke of *Devonshire* to be Lord Steward of the Household, in the Room of the Earl of *Chesham,* who resign'd; and had the White Staff deliver'd to him accordingly.

4. The Right Honourable the Earl of *Burlington* resign'd his Gold Staff as Captain of the Band of Gentlemen Pensioners.

May 5.

May 5. His Majesty was pleased to appoint the Right Honourable *Henry Viscount Lonsdale*, Keeper of the Privy Seal, in the Room of his Grace the Duke of Devonshire, appointed Lord Steward of his Household. As also,

The Right Honourable *George Earl of Moreton*, Vice-Admiral of Scotland, to which Office a Salary of 2000*l.* per Ann. is annex'd, in the Room of the Right Honourable *John Earl of Stair*.

7. At a Board of Admiralty, his Majesty's Ship the *Blandford* was put in Commission, and Capt. *Stephens* appointed Commander, and Mr. *Burroughs* Lieutenant.

— Dy'd the Right Honourable *George Earl of Cholmondeley*, Viscount *Malpas*, Baron *Cholmondeley* of *Wich-Malbank*, and Baron *Newburg* in Ireland, General of the Horse, Governor of the Island of *Guernsey*, Captain of the Third Troop of Guards, and Lord Lieutenant of the County and City of *Chester*, and also of *North Wales*. He is succeeded in Honour and Estate by *George Lord Viscount Malpas*, Master of the Horse to his Royal Highness the Prince of Wales.

— *Charles Armand Powlett*, Esq; Lieutenant Colonel to the Second Troop of Grenadier Guards, appointed Deputy-Governor of the Isle of *Wight*, in the Room of Colonel *Morgan*, deceas'd.

— His Majesty was pleased to appoint the Right Honourable the Lord *Walpole* to be Lord Lieutenant and *Eustus Rotulorum* of the County of *Devon*, in the Room of the Right Honourable the Lord *Clinton*.

8. The Right Honourable the Lord *Lovell*, appointed Captain of the Band of Gentlemen Pensioners, in the Room of the Right Honourable the Earl of *Burlington*, who resign'd. And,

Robert Coke, Esq; Brother to the Lord *Lovell*, appointed Vice-Chamberlain, in the Room of Lord *William Beauclerc*, deceas'd.

— The Honourable Mr. Justice *Lee*, marry'd to Mrs. *Melmoth*; Relist to Mr. *Melmoth*, an eminent Merchant.

— The Rev. Mr. *Secker* inducted into the Rectory of *St. James's, Westminster*, in the Room of the Rev. Dr. *Tyrwhit*.

— Dy'd at his Seat at *Esco* in *Wiltshire*, *James Wroughton*, Esq; a Gentleman of a plentiful Estate, who marry'd the Right Hon. the Countess Dowager of *Abingdon*, who survived him.

May 8. His Majesty was pleased to appoint *Gilbert Fleming, Esq;* to be Lieutenant-General of the *Caribbean Islands in America*, as also of the Island of *St. Christopher's*, in the Room of *William Matthew, Esq;* And, *James Wedderburn, Esq;* to be Clerk of the Common-Pleas in *South Carolina*. As also,

Robert Burnet, Esq; Secretary to *New Jersey*. And *Hugh Lewis, D. D.* one of his Majesty's Chaplains in Ordinary, to be Canon of *Windfor*, in the Room of *Dr. Henry Bland*, who resign'd; as also,

Edward Martin, LL.D. to be Canon of *Windfor*, in the Room of *William Wade, M. A.*

11. Mr. *James Barclay*, a Dutch Merchant, Grandson to Mr. *Robert Barclay*, the famous Apologist, marry'd at the Quakers Meeting-house at *Tottenham*, to Miss *Sally Freame*, Daughter to Mr. *John Freame*, Banker, and Deputy Governor of the Lead Corporation.

14. *George Wright, Esq;* Member of Parliament for *Leicester*, marry'd to the only Daughter of *Sir Thomas Clarges*, a Lady of 20,000*l.* Fortune.

— Dy'd at *Harrow on the Hill*, *Thomas Graham, Esq;* Apothecary to his Majesty.

15. Dy'd of a Mortification in his Leg, at his Lodgings in *Little Ormond-street*, *William Shaw, Esq;* Train Bearer to the Right Honourable the Lord Chancellor, a Place worth 400*l.* per Ann.

— Mr. *Barnett* of *Burlington-street*, made Supervisor of the Salt Duties in *Scotland*, in the Room of *Sir Henry Rollo, Bart.* deceas'd.

17. Mr. *Mitchell* appointed Lieutenant of his Majesty's Ship the *York*, in the Room of Mr. *Smith*.

— Dy'd the Lady *Hook*, at her House in *Kensington Square*.

— Dy'd at his House in *Hatton-Garden*, *Francis Moulé, Esq;* formerly an eminent Chymist, and one of the Heads of the French Prophets.

18. Dy'd at *Walthamstow* in *Essex*, where he was Vicar, the Rev. Mr. *Chishull*, well known in the learned World for several Works of Literature.

19. Dy'd suddenly in his Chamber at *Cambridge*, Dr. *William Baker*, senior Bursar of *St. John's College*, a Gentleman of universal Goodness and Learning.

— *Maurice Bockland, Esq;* chosen Member for the Borough of *Yarmouth*, in the Isle of *Wight*, in the Room of *Maurice Morgan, Esq;* deceas'd,

May 19.

May 19. *Leonard Smet*, Esq; lately appointed Clerk of the Ordnance of Great Britain, rechosen for the Borough of *Northallerton* in *Yorkshire*. As was

William Rawlinson Erle, Esq; for the Borough of *Malmesbury* in *Wiltshire*, who had been appointed Clerk of the Deliveries of the said Office.

21. *Needham*, Esq; Member of Parliament for *Newry* in *Ireland*, a Gentleman of 4000 *l.* per Ann. marry'd to Miss *Harriet Pitt*, Sister to *Thomas Pitt*, Esq; Member of Parliament for *Oakhampton* in *Devonshire*, a young Lady of 10,000 *l.* Fortune.

22. Dy'd *Robert Hobart*, Esq; second Son to the Right Honourable the Lord *Hobart*, one of the Knights of the Bath, by his first Wife, at his House in *Pall-Mall*.

— Dy'd at *Mile-End*, *John Mainwaring*, Esq; formerly an eminent *West-India* Merchant.

— Dy'd suddenly *Mr. John Ellicott*, an ingenious Watchmaker.

— Capt. *William Eaton*, of the *Coldstream* Regiment of Foot-Guards, kiss'd the King's Hand for the Company in the Third Regiment, lately commanded by Colonel *Philip Bragge*. As did also,

Captain *Legge*, on being appointed Captain-Lieutenant of the *Coldstream* Regiment, in the Room of Colonel *Eaton*.

— The Right Honourable the Lord *Anne Hamilton*, youngest Brother to his Grace the Duke of *Hamilton and Brandon*, resign'd his Post of Ensign in the First Regiment of Foot Guards; and was succeeded by *Mr. Leblange*.

23. Dy'd at his Seat in *Kent*, *Sir Brook Bridges*, Bart. High Sheriff of that County, in the 24th Year of his Age. He left his Lady with Child, which, if it prove a Son, will succeed to the Title and Estate, otherwise the Title is extinct.

— Capt. *Whitworth*, Brother to the Right Honourable the Lord *Whitworth*, resign'd his Command of a Troop in Brigadier-General *Churchill's* Regiment of Dragoons.

— His Majesty hath appointed the Right Honourable *George Earl of Chodmondeley*, Steward of the Royal Manor of *Sheene* in the County of *Surry*, in the Room of his Father, the late Earl. As also,

Philip Gory, Esq; to be Lieutenant-Colonel to Brigadier General *Churchill's* Regiment of Dragoons, in the Room of Colonel *Charles Amand Pownlett*, made Lieutenant-

nant-Colonel of the Second Troop of Grenadier Guards, in the Room of the Right Honourable the Earl *Howard of Effingham*. As also,

Sir Robert Salisbury Cotton, to be Lord Lieutenant of the County of *Denbigh*.

May 24. *Sir William Billers*, Kt. Alderman of *Cordwainers Ward*, made Colonel of the Blue Regiment of Trained Bands, in the Room of *Sir Gilbert Heathcote*, Bart. deceas'd.

— Dy'd *Thomas Carpenter*, Esq; of the *Homme* near *Wobley* in *Herefordshire*, a Gentleman much lamented by his Neighbours. The Lord *Carpenter* was his Cousin and Heir at Law.

25. Dy'd at *Hertford*, *John Combs*, Esq; formerly a *Turky Merchant*.

— Dy'd at the *Bath*, *Thomas Price*, Esq; a *Buckinghamshire Gentleman*, of a considerable Estate.

28. Mr. *Van Nutton*, an eminent *Dutch Merchant*, marry'd to Miss *Bosanquet*, 2d Daughter of *David Bosanquet*, Esq; deceas'd, a Lady of 10,000*l.* Fortune.

29. Dy'd Mr. *Henry Tombs*, an eminent *China Man*, Deputy of *Lime-street Ward*, at his House in *Leadenhall-street*.

— His Majesty was pleased to appoint Major *Warder* of the 2d Troop of Horse Guards, to be Lieutenant-Colonel of the said Troop, in the Room of *Lewis Davis*, Esq; who resign'd.

Capt. *Edwards*, an Exempt, succeeds Major *Warder*. And,

Capt. *Sorin* Brigadier, succeeds Capt. *Edwards*. And, Capt. *Marchant*, Sub-Brigadier, succeeds Capt. *Sorin*.

— The Right Hon. the Lord Viscount *Shannon* of the Kingdom of *Ireland*, made General of the Horse, in the Room of the late Earl of *Cholmondeley*.

30. Dr. *Hall*, Physician to the Charter-house, chosen Physician to *St. Thomas's Hospital*, in the Room of Dr. *Wadsworth*, who resign'd.

— His Majesty was pleased to appoint the Right Hon. *William Anne Keppel*, Earl of *Albemarle*, to be Captain of the Third Troop of Life-Guards, in the Room of the Right Hon. *George Earl of Cholmondeley*, deceas'd. And

George Read of *Shippen* in *Oxfordshire*, Esq; Member of Parliament for *Tewksbury*, and Colonel of a Company in the First Regiment of Foot Guards, succeeds the Earl of *Albemarle*, as Colonel of a Regiment of Foot at *Gibraltar*.: June 1.

J U N E.

Preferments.

The Right Honourable the Lord Lovel, made Joint-Commissioner with the Hon. *Edward Carteret*, Esq; for executing the Office of Post-Master General, in the Room of the late Governor *Harrison*.

George Earl of *Cholmondeley*, late Lord Viscount *Malpas*, appointed Lieutenant of and in the Counties of *Montgomery*, *Flint*, *Merioneth*, *Caernarvon*, and *Anglesea*, likewise Lieutenant of and in the County and City of *Chester*; and also *Custos Rotulorum* of the said City and County, and Vice-Admiral of the County of *Chester*.

The Lord *Harry Powlet*, Brother to his Grace the Duke of *Bolton*, made one of the Lords Commissioners of the Admiralty, in the Room of Sir *Charles Wager*, made first Commissioner in the Room of Lord Viscount *Torrington*, deceased.

John Earl of *Crawford*, one of the 16 Peers for *North Britain*, appointed Gentleman of the Bedchamber to his Royal Highness the Prince of *Wales*, in the Room of the Earl of *Tankerville*, made Master of the Buck Hounds.

Archibald Earl of *Ilia*, appointed Keeper of the Great Seal of *Scotland*, in the Room of his Grace *James* Duke of *Montross*.

His Grace *John* Duke of *Athol*, made Keeper of the Privy Seal of *Scotland*, in the Room of the Earl of *Ilia*.

Lord *Hervey*, eldest Son of the Earl of *Bristol*, Vice-Chamberlain to the King, call'd up by Writ to the House of Peers, under the Title of Baron *Hervey* of *Ickworth* in the County of *Suffolk*.

The Earl of *Pembroke*, made Colonel of his Majesty's own Regiment of Horse, in the Room of Lord Viscount *Cobham*.

The Earl of *Jersey*, made one of the Gentlemen of Bedchamber to the Prince of *Wales*.

Robert *Holford*, *James* *Lighbourn*, *John* *Bennet*, *William* *Kynaston*, and *Francis* *Eide*, Esqs. five of the Masters in *Chancery*, constituted Commissioners to examine which of the Sufferers in the Charitable Corporation, are entitled to the Advantages arising from the Scheme of the new Lottery. The Persons entitled to Relief are to take the following Oath, viz. That the Value of their Real and Personal Estate and Effects exclusive of
E their

their Shares, Notes, and Bonds, in the Charitable Corporation, after a Deduction of so much as will be sufficient to discharge all their just Debts, did not, on the 25th Day of December 1732, exceed the Sum of Five Thousand Pounds.

Sir Wyndham Knatchbull, Bart. made Sheriff of the County of Kent, in the Room of Sir Brook Bridges.

Colonel Peter Campbell, Member of Parliament for *Elginburgh*, Deputy Governor of *Portsmouth*, in the Room of Col. Peter Hacker, deceas'd.

Col. Richard Kane made Governor of Port Mahon and Island of *Minorta*, in the Room of Lord Carpenter, deceas'd.

Philip Anstruther, Esq; Representative for the Borough of *Crail*, &c. and Colonel of a Regiment of Foot, made Lieutenant Governor of the said Island, in the Room of Col. Kane.

George Wade, Esq; Lieutenant General of his Majesty's Forces, appointed Governor of Fort William, Fort George, and Fort Augustus, in North Britain, in the Room of General Sybourg, deceas'd.

Major General Ruffel Governor, and Major James St. Clair Lieutenant Governor of *Berwick upon Tweed* and *Holy Island*, in the Room of Major General Ruffel, late Lieutenant Governor.

Major General Sutton, Representative for *Newark upon Trent*, appointed Governor of the Island of *Guernsey*, in the Room of the late Earl of *Eholmondley*.

Major Bennet of the 2d Troop of Life-Guards, made Governor of the Island of *Scilly*.

The Earl of *Selkirk*, one of the 16 Peers for Scotland, made Lord Clerk Register, in the Room of the Earl of *Marchmont*, remov'd.

Lord Monson made Captain of the Band of Gentlemen Pensioners, in the Room of the Earl of *Burlington*.

James Brudenel, Esq; Uncle to the Earl of *Cardigan*, and representative for *Andover* in *Hampshire*, made one of the Grooms of his Majesty's Bedchamber.

Charles Armand Pawlett, Esq; Member for *Newtown* in *Hampshire*, made Lieutenant Governor of the Isle of *Wight*, and George Howard, Esq; made Governor of *Corowes* Castle in the same Island.

Robert Westley and Michael Hillerston, Esqrs. elected Sheriffs of London.

About

Marriages.

About the latter End of last Month, ——— Farley of *Oxfordshire*, Esq; marry'd to Miss *Harriot Pitt*, Sister to Miss *Pitt*, one of her Majesty's Maids of Honour.

George Pitt of *Stratfieldsea* in *Hampshire*, marry'd to Miss *Wyndham*, a rich Heiress of that County.

Robert Scot, Member of Parliament for the Shire of *Forfar* in *Scotland*, marry'd to Miss *Middleton*, Daughter to Colonel *Middleton*, an agreeable young Lady, with a Fortune of 5000 l.

William Trombal of *Fenchamstead Park* in *Berkshire*, Esq; marry'd to Miss *Blundel*, 2d Daughter to the Right Hon. the Lord Viscount *Blundel*, an agreeable young Lady, with an handsome Fortune.

George Fellows, Esq; marry'd to Miss *Purvis*.

The Hon. *Robert Coke*, Esq; Vice-Chamberlain to her Majesty, marry'd to Lady *Jane Holt*, Sister to the late Duke of *Wharton*, and Relict of *John Holt*, Esq;

George Kynaston, Esq; marry'd to Miss *Barbara Wilson*, Daughter of *George Wilson* of *Richmond* in *Surrey*, Esq;

Dr. Thomas Tanner, Bishop of *St. Asaph*, marry'd Miss *Scottow* of *Thorpe* near *Norwich*, a Fortune of 15000 l.

Sir John Gifford of *Burshall*, *Leicestershire*, to the eldest Daughter and Coheir of the late *Richard Arundel Beaking*, Esq; with 40,000 l. Fortune.

The Right Hon. *William Villiers*, Earl of *Jersey*, to the Dutcheß Dowager of *Bedford*, Daughter to the Duke of *Bridgewater*.

William Vernon of *Sudbury* in the County of *Stafford*, Esq; to the Hon. Mrs. *Mary Howard*, youngest Daughter of *Thomas* late Lord *Howard* of *Effingham*.

Dr. Clarke, one of the Physicians to Mr. *Guy's* Hospital, marry'd to Mrs. *Jacobs*, Relict of *John Jacobs*, Esq; a Fortune of 10,000 l.

Thomas Hankey, Esq; Son to *Sir Henry Hankey*, Knight and Alderman, one of the present Sheriffs of *London*, marry'd to Miss *Barnard*, Daughter of *Sir John Barnard*, Kt. Alderman, and one of the Representatives in Parliament for the same.

George Workman of *Gloucestershire*, Esq; to Miss *Bridges*, a Fortune of 15000 l.

Deaths.

Dy'd the Right Hon. the Lord *Darcy* of *Navan* in the Kingdom of *Ireland*, eldest Son of ——— *Jessop*, Esq; of *Lincoln's Inn Fields*, one of the *Welch Judges*.

Dy'd *Elizabeth Countess Dowager of Castlehaven* in Ireland, and *Baroness Audleigh* in England. Her Ladyship was Daughter and Heiress to ——— *Bard, Esq;* of *Weston*, and Mother to the present Earl of *Castlehaven*, a Roman Catholick.

Dy'd *Sir Nevele Hickman, Bart.* at *Gainsborough* in *Lincolnshire*, fifth and surviving Son of *Sir Willoughby Hickman*, who represented that County in Parliament many Years.

Dy'd *Capt. Thomas Bigg*, aged near 90, who was an Officer in the Army in the Reign of *King Charles II.*

Dy'd *Captain Farlow*, an old experienced Officer in the Navy.

Dy'd *Thomas Twisdale, Esq;* at *Weybridge* in *Surrey*.

Dy'd the Lady *Lee*, so call'd from her marrying *John Lockhart*, Laird of *Lee* in *Scotland*.

Dy'd *Sir Thomas Hatton, Bart.* at *Longstanton, Cambridgeshire*: He is succeeded by his Brother, the present *Sir John*.

Dy'd *Mrs. Bellaffyse*, a Relation of the Lord Viscount *Fauconberg*.

Dy'd *Captain William Berkeley*, second Son of Lord *Berkeley*, on Board the *Tyger*, of which he was Commander, in his Voyage from *Africa* to *Barbadoes*.

Dy'd *Mrs. Editha Pope*, Mother of *Alexander Pope, Esq;* the celebrated Poet, aged 93.

Dy'd *Sir Anthony Abdy, Bart.*

Dy'd at *Abington, John Shannon*, formerly an eminent Wine-Merchant in this City.

Dy'd the Right Hon. *John Sutherland*, Earl of *Sutherland*, Baron of *Strathnaver* and *Dunrobin*, Knight of the Thistle, one of his Majesty's Privy Council, Lord Lieutenant of the Shires of *Inverness*, *Nairn*, *Elgin*, *Cromarty*, *Ross*, *Caithness*, and *Sutherland*, and of the Isles of *Orkney* and *Zetland*, one of the Commissioners of Trade, Hereditary Admiral and Sheriff of the County of *Sutherland* and other neighbouring Provinces, and one of the 16 Peers for *North Britain*. His Lordship's Family being as ancient in the Peerage as any in *Scotland*, if not in *Europe*, it may not be amiss to take Notice, that in the Year of Christ 76, a Colony call'd *Gatti*, coming from *Germany* to *Scotland*, and there dividing themselves into two Parts, from those of the North, the Country was call'd *Caithness*, and from those in the South, *Sutherland*, whereof the present Family were Thanes long before the Title of Earl was introduced into the Kingdom.

dom. His Lordship is succeeded in his Titles and Estate by his Grandson now Earl of *Sutherland*, whose Father, Lord *Strathnaver*, dy'd in 1720.

J U L Y.

Preferments.

Francis Earl of *Godolphin*, appointed Governor of the Islands of *Scilly*, in the Room of *Sidney Godolphin, Esq;* deceased.

John Fane, Esq; created a Baron of the Kingdom of *Ireland*, by the Name, Style, and Title of Baron of *Catherlogh* in the County of *Catherlogh*, also made Colonel and Captain of the First Troop of Horse Guards.

The Earl of *Kintore* appointed Knight Marshal of *Scotland*.

Sir *Robert Rich, Bart.* made Captain of the First Troop of Horse Grenadier Guards, in the Room of Lord *Catherlogh*.

Edward Turner of Ambroseden in the County of *Oxford, Esq;* made a Baronet of *Great Britain*.

Daniel Lambert, Esq; Merchant and Citizen, unanimously elected one of the Sheriffs for *London and Middlesex* for the Year ensuing, in the Room of *Michael Hillsdon*, who paid his Fine as usual.

The following Gentlemen appointed by the Commissioners to be Managers and Directors of the Charitable Corporation Lottery, viz. *Mark Precker, Robert Manning, William Walmfley, Claudius de Vins, Adam Anderson, Alexander Bennet, Edward Browne, Richard Morley, Jasper Bull, John Elde, James Farquharson, Charles Fenn, Francis Gashry, Richard Graham, Henry Harris, Lewis Hayes, William Hopkins, John Burman, John Parker, William Walker, and Joseph Wright, Esqrs.*

Capt. *Barclay* made Major to the Lord *Tyravley's* Regiment of Foot, in the Room of Major *Jones* deceased.

The Hon. *Thomas Hervey*, second Son of the Earl of *Bristol*, unanimously chosen for *Bury St. Edmund's* in the Room of his Brother the Lord *Hervey*, lately call'd up to the House of Peers.

The Lord *Harry Powlett*, lately made one of the Lords of the Admiralty, re-elected Knight of the Shire for *Southampton*, without Opposition.

Marriages.

The Right Hon. the Lord Viscount *Weymouth*, to the 2d Daughter to the Lord *Carteret*.

Simon

Simon Lord Frazier, a Scots Nobleman, to Miss *Primrose Campbell*, Cousin German to the Duke of *Argyle*.

Lord Tenham, to Miss *Porwel*, Sister to the Lady of *Sir Francis Curson*.

The Hon. Mr. *Boscawen*, Son to the Lord Viscount *Falmouth*, to a Daughter of *Sir Philip Meadows*.

Mr. *John Giffard* of *Devonshire Square*, to Miss *Brooke*, with a Fortune of 15000 l.

John Lowton, Esq; Clerk of the Securities of the Excise Office, to Mrs. *Cowper*, a Widow Gentlewoman of 30,000 l. Fortune.

Philip Cantillon, Esq; a considerable Merchant, to Miss *Newland*, Daughter of *William Newland*, Esq; Member of Parliament for *Gatton* in *Surrey*, with a Fortune of 6000 l.

John Bullock, jun. of *Norfolk-street*, Esq; to Miss *Bullock*, a young Lady of Beauty and Merit, and a Fortune of 20,000 l.

Deaths.

Dy'd *Robert Onslow*, Esq; a near Relation to the Right Honour the Speaker of the House of Commons, at *Malden* in *Essex*.

Dy'd *John Cheeke*, Esq; above 40 Years Marshal of the High Court of Admiralty.

Dy'd Mr. *Dillingham*, of *New-street*, in the 98th Year of his Age; he was a Common Council Man of this City above 30 Years ago.

Dy'd *Alexander Montgomery*, Esq; who behav'd gallantly as an Officer in the Service of King *Charles*, and King *James II*.

Dy'd the Lady *Frankland*, Mother to *Sir Thomas Frankland*, Bart.

AUGUST.

Preferments.

Duke of *Montagu* made Governor and Captain of the Isle of *Wight*, and Governor of *Carisbrook Castle*, and Constable and Door-keeper of the same; and Steward, Receiver and Bailiff of all Manors, Lands, &c. within the said Island, in the Room of the Duke of *Bolton*.

Duke of *Argyle* made Colonel of his Majesty's own Regiment of Horse Guards, in the Room of the Duke of *Bolton*, remov'd.

The

The Right Hon. the Lord *Cathcart*, appointed Colonel of the Regiment of Horse in *Ireland*, lately commanded by Sir *Robert Rich*, Bart.

Sir *Adolphus Oughton*, Bart. appointed Colonel of the Regiment of Dragoons, lately commanded by the Lord *Cathcart*.

The Right Hon. Lord Viscount *Percival* of the Kingdom of *Ireland*, created an Earl of that Kingdom, by the Style and Title of Earl of *Egmont*.

The Right Hon. *Thomas* Lord *Malton*, constituted Lord Lieutenant of the West Riding of the County of *York*, and *Custos Rotulorum* of the North and West Riding of the said County.

The Right Hon. *John* Lord *Lymington*, constituted Lord Lieutenant and *Custos Rotulorum* of the County of *Southampton*; and also Warden and Keeper of the New Forest in that County, in the Room of the Duke of *Bolton*.

Earl of *Dunmore*, made Knight of the Thistle, in the Room of the Earl of *Sutherland*, deceas'd.

Lieutenant General *Evans* succeeds the Duke of *Argyle*, in the Command of the Queen's own Regiment of Horse.

Brigadier *Tirrel* succeeds General *Evans*, in his late Regiment of Dragoons, and *James Synclair*, Esq; succeeds Brigadier *Tirrel* in his Regiment, &c.

Marriages.

The Earl of *Pembroke* marry'd to Mrs. *Fitz-Williams*, late Maid of Honour to her Majesty.

The Right Hon. the Lord *Sinclair*, to the Countess Dowager of *Southesk*.

Sir *James Sinclair* of *Edinburgh*, Bart. to the Relict of *Robert Arbuthnot*, Esq; late Auditor of the Exchequer.

Philip Sercoat, Esq; marry'd to the Dutchess Dowager of *Cleveland*.

—— *Morgan*, Doctor of Musick, marry'd at *West Chester* to Mrs. *Wilton*, a Fortune of 30,000*l*.

—— *Skinner*, Esq; to Mrs. *Barbara Ople*, with 30,000*l*.

Dr. *Richard Osbaldiston*, Dean of *York Cathedral*, to Mrs. *Elizabeth Fairside*, with 20,000*l*.

Mr. *Cotton*, a young Gentleman of about 27 Years of Age, to Mrs. *Morgan* of *Bethnal Green*, Widow, aged 72, with a Fortune of 10,000*l*.

John Willis, Esq; eldest Son to the Bishop of *Winchester*, to the only Daughter of Col. *Fielding*.

Deaths.

Dy'd at his Seat at *Langford* in *Lancashire*, the Hon. *Edward Coke*, Brother to the Lord *Loel*.

Dy'd the Lady *Isabella*, Relict of Sir *William Wentworth*, and Mother to the Earl of *Stratford*.

Dy'd *John Rowbray*, Esq; formerly Cup-bearer to King *James II.* aged 94.

Dy'd Dr. *Matthew Tindal*, Author of a remarkable Book call'd *Christianity as old as the Creation*, of which he has left a 2d Volume finish'd, and bequeathed it to *Eustace Budgel*, Esq; his Executor, together with 2000 Guineas; the Residue of his Estate he has left to his Nephew, the Rev. Mr. *Tindal*, Translator of *Rapin's History*. He was aged 80 Years, had been reconciled to the Church of *Rome* in the Reign of King *James II.* but after the Revolution gave his Opinion against those who acted at Sea under his Commission, and thus got into Favour with the succeeding Prince.

Dy'd *Janet Countess Dowager of Macclesfield*, Relict of the late Earl, and Daughter of ——— *Carrier*, Esq; of *Wickfworth* in *Derbyshire*.

Dy'd Sir *Clobery Noel*, Bart. Knight of the Shire for the County of *Leicester*.

Dy'd *John Booth*, Esq; Steward to the Duke of *Montagu*, reputed worth 40,000*l.*

Dy'd Mrs. *Harrison*, at *Hampsted*, aged 104.

Dy'd Mr. *Nathaniel Smith*, Tanner in *Southwark*, reputed to be worth 20,000*l.*

Dy'd Sir *James Fleetwood*, at *Hammer-smith*.

Dy'd the Lady *Harriot Talmash*, 2d Daughter to the Right Hon. the Earl of *Dysert*.

Dy'd *John Montgomery*, Esq; Knight of the Shire for the County of *Monaghan* in *Ireland*.

Dy'd the Hon. the Lord *Polton*, one of the Lords of Justiciary in *Scotland*.

Dy'd *Henry Henley* of *Leigh* in the County of *Somerset*; formerly Member of Parliament for the Borough of *Lyme Regis* in the County of *Dorset*.

Dy'd Mr. *Dance*, an eminent Surveyor, who built *Guy's Hospital*, reputed worth 25000*l.*

Dy'd *Edward Wellenhall*, eldest Son to the late Right Rev. Dr. *Wellenhall*, Bishop of *Cork* in *Ireland*.

Dy'd *John Abbot*, Esq; formerly an eminent *Hamburg* Merchant.

Dy'd *Samuel Palmer*, Esq; late one of his Majesty's Justices of Peace for the County of *Surrey*.

SEPTEMBER,

S E P T E M B E R.

Preferments.

Brigadier-General *Charles Churchill*, prefer'd to the Command of Lieutenant-General *Evans's* Regiment of Dragoons.

The Earl of *Balcarras*, Colonel of a Company in the Earl of *Stair's* Regiment of Dragoons.

Capt. *Driver*, of the Third Troop of Life-Guards, kiss'd his Majesty's Hand for the Post of Second Major to the said Troop, in the said Troop, in the Room of Major *Wright*, deceas'd.

Capt. *Eaton*, of the first Troop of Life-Guards, also kiss'd his Majesty's Hand for the Post of Capt. *Driver*.

Capt. *Carpenter*, a Relation to Lord *Carpenter*, made Captain-Lieutenant to Sir *Charles Wills's* Regiment of Foot Guards, in the Room of Col. *Lascelles*, promoted to a Company in the said Regiment.

Miss *Williams*, a *Herefordshire* Lady, kiss'd the Queen's Hand on her being appointed a Maid of Honour to her Majesty, in the Room of the Hon. Miss *Fitz-Williams*, now Countess of *Pembroke*.

The eldest Daughter of *Augustus Schutz*, Esq; Privy-Purse to his Majesty, kiss'd the Princess Royal's Hand; on her being appointed her Royal Highness's first Maid of Honour.

Mrs. *Swinton*, Mrs. *Charles*, and Mrs. *Dive*, also kiss'd the Princess Royal's Hand, on being appointed her Royal Highness's Dressers.

Miss *Sarah Scott*, Daughter to *Thomas Scott* of *Scott-Hall* in *Kent*, Esq; appointed fourth Dresser to her Royal Highness.

His Majesty hath granted to *George Proctor*, Esq; the Office of Steward of all the Lordships, Manors, Lands, Tenements, and Hereditaments, belonging to the Honour of *Windsor*, and Castle of *Windsor* in the County of *Berks*, and of the Courts of Record in the same, and also the Office of Clerk to the Constable of the said Castle or Fort, and the Custody of the Seals of the said Courts, in the Room of *John Owen*, Esq; deceas'd.

Marriages.

The Earl of *Chesfield* marry'd to *Melissa de St. Auburgh*, Countess of *Walsingham* in *Norfolk*, and Baroness

ness of *Aldborough*, (both Royal Titles) conferr'd on her by Letters Patent, dated *April 10, 1722*. Her Portion is said to be 50,000*l.* down, and 3000*l.* per Ann. payable out of the Civil List Revenue in *Ireland*, during her Life.

The Hon. *John Lord Hope*, eldest Son to the Right Hon. the Earl of *Hopton*, to Lady *Anne Ogilvie*, Daughter to the Right Hon. the Earl of *Findlater*, at her Father's Seat in *Bamffshire* in *Scotland*.

Thomas Baber of *Great Queen-street*, *Lincoln's-Inn Fields*, Esq; to the only Daughter of *Lionel Bowles*, Esq; a Lady of 25000*l.* Fortune.

— *Hesketh* of *Meals* in *Lancashire*, Esq; to Miss *Fleetwood*, the Heiress of *Ross-Hall* in the same County.

John Jenkinson, Esq; to Miss *Wilkinson*, a 15000*l.* Fortune.

Henry Watkins of *Cardiganshire*, Esq; to Miss *Adams*, a young Lady of 7000*l.* Fortune.

Mr. Joseph Thompson, an eminent Attorney of *Gray's Inn*, to Miss *Flayer* of *Red-Lion Square*, a Fortune of 16000*l.*

Thomas Osborne of *Lambeth*, Esq; to Miss *Jane Hutchins*, Daughter of *Mr. John Hutchins*, an eminent Timber Merchant of that Town, a young Lady of 6000*l.* Fortune.

Edward Spencer, Esq; to Miss *Elizabeth Timis*, a Fortune of 10,000*l.*

Thomas Marriot, Esq; to Miss *Anne Smith* of *Bedford-street*, a 12000*l.* Fortune.

The Rev. *Mr. George Neale* of *Ottley* in *Yorkshire*, to Miss *Margaret Bland*, Daughter of the Rev. *Dr. Bland*, Dean of *Durham*, and one of his Majesty's Chaplains.

Deaths.

Dy'd, the eldest Son of the Right Hon. *Charles Talbot*, Esq; His Majesty's Solicitor-General.

Dy'd, Lady *Anne Cavendish*, Wife of Lord *Charles Cavendish*.

Dy'd, *Edward Bertie*, second Son of the Hon. *James Bertie*, Esq;

Dy'd, *Joseph Saunders Hodges*, Esq; Son and Heir of the late *Joseph Hodges* of *Bloomsbury-Square*, Esq; by whose Death he succeeded to an Estate of 4000*l.* per Ann., which now devolves to his Uncle.

Dy'd

Dy'd, the Lady *Elizabeth Fitz-Maurice*, at her House in *Pall-Mall*, aged 83.

Dy'd, Major *Wright*, of the first Regiment of Foot Guards.

Dy'd, the Lady *Downing*, Wife of Sir *George Downing*, Bart. Knight of the *Bath*.

Dy'd, *John Billingsley*, Esq; at *Park Place*, reputed worth 30,000*l.* and 700*l.* per *Ann.*

Dy'd, *John Kynaston*, Esq; who lately petitioned for the Barony of *Porwys*; he was Representative in several Parliaments for *Shropshire*. By his Death an Estate of 8000*l.* fell to his Son *Corbet Kynaston*, Esq;

Dy'd, the Lady of the Lord *Digby*, at *Sherborne* in *Dorsetshire*.

Dy'd Mr. *Truss*, at *Clay-Hill* near *Endfield*, aged 112. He was a Soldier in *Oliver Cromwell's Army*.

Dy'd, Mrs. *Mary Malton*, at *Reading* in *Berks*, a Maiden Lady, aged 105, reputed worth 10,000*l.*

OCTOBER.

Preferments.

His Grace the Duke of *Athol*, elected one of the 16 Peers of *Scotland*, to sit in the Parliament of *Great Britain*, in the Room of the Earl of *Sutherland*, deceased.

The Earl of *Pembroke* and *Montgomery*, appointed Lord Lieutenant of the County of *Wilts*.

The Lord *Southwell* of the Kingdom of *Ireland*, appointed Master of the Horse to the Princess Royal, after her Marriage with the Prince of *Orange*.

Sir *Philip Yorke*, Kt. Attorney-General, made Lord Chief Justice of the King's Bench, with an Addition of 2000*l.* per *Ann.* Salary, to him and his Successors.

Mr. *Poyntz*, Nephew to *Stephen Poyntz*, Esq; and the Son of Major *Derby* of the Foot Guards, are appointed Pages of Honour to the Princess Royal after her Marriage.

The Lady of the Right Hon. the Lord *Herbert*, Sister to *John Lord Viscount Limington*, appointed a Lady of the Bedchamber to the Princess Royal.

Dr. *Peters*, one of the late Dr. *Radcliff's* Travelling Physicians, appointed Physician Extraordinary to his Majesty.

Robert Fraser, Esq; Captain in Colonel *Harrison's* Regiment of Foot, made Major to the said Regiment.

Capt. *Bembow* appointed Lieutenant in the Earl of *Pembroke's* Royal Regiment of Horse.

Maurice Bockland, Esq; Representative for *Yarmouth* in the Isle of *Wight*, to the Command of a Troop in his Majesty's own Royal Regiment of Horse, in the Room of Capt. *Lancaster*, deceased.

Thomas Rigg, Esq; late Sheriff of *Bucks*, made one of the Commissioners of the Revenue in *Ireland*, in the Room of his Father-in-law *Thomas Medlicott*, Esq;

Marriages.

Sir *James Elphinston* of *Logie*, Bart. marry'd to the Daughter of Mr. *Rattray* of *Craighall*.

The Hon. *Charles Murray*, Esq; Brother to Sir *Alexander Murray*, Bart. to a young Lady of 16,000*l.* Fortune.

James Wanchop of *Edmonston*, Esq; to a Daughter of Sir *John Inglis* of *Cramond*, Bart.

The Hon. and Rev. *Francis Hamilton*, Son to the Earl of *Abercorn*, to the 2d Daughter of *James Forth*, Esq; at *Dublin*.

Mr. Serjeant *Birch*, to Miss *Taskmaker* of *Edmonton*, a young Lady of 14,000*l.* Fortune.

Thomas Jones Tyre, Esq; of *Hanham* in *Gloucestershire*, to Miss *Hare*, a 16,000*l.* Fortune.

John Pedley of *Thetworth* in *Huntingdonshire*, to Miss *Stanhope*, Granddaughter of Sir *Edward Stanhope* of *Grimston* in *Yorkshire*, Bart. a 15,000*l.* Fortune.

William Robinson of *Wrexham* in *Denbighshire*, to the Daughter of the late *Robinson Lytton* of *Nibworth* in *Hertfordshire*, a 15000*l.* Fortune.

Mr. *John Harvey*, Linnen-draper in *Cornhill*, to Miss *Brochoch* of *Ipswich*, a Fortune of 8000*l.*

Deaths.

Dy'd at *Harrow on the Hill*, after a long Indisposition, her Grace *Henrietta Dutchess* of *Marlborough*, Marchioness of *Blandford* and Baroness of *Sandridge*, as Successor to her Father, *John* late Duke of *Marlborough*; and Countess of *Godolphin*, as Wife to the Right Hon. *Francis* Earl of *Godolphin*, Groom of the Stole, and First Lord of the Bedchamber to the King. Her Grace bore his Lordship one Son and two Daughters, the *Marquess* of *Blandford*, who dy'd about two Years ago without Issue, her Grace the *Dutchess* of *Newcastle*, and the Lady

Lady Mary about nine Years old. Her Grace's Titles descend, according to the Limitation of Parliament, to the Right Hon. the Earl of *Sunderland*, Son to the Lady *Anne*, 2d Daughter of the late Duke of *Marlborough*, who is marry'd to the only Daughter of the Lord *Trevor*.

Dy'd the Right Honourable *Charles Howard*, Earl of *Suffolk*, who marry'd the Lady *Henrietta*, Sister to *John Lord Hobart*.

Thomas Arundel, Esq; at *Stoke Park* in *Northamptonshire*, without Issue. His Estate devolves on his Widow, eldest Daughter of *Peter Wentworth*, Brother to the Earl of *Strafford*.

Dy'd, Sir *John Stonehouse*, Bart. one of the Knights of the Shire for the County of *Berks*.

Dy'd, Sir *Edward Betteson*, in the 63d Year of his Age.

Dy'd, the Hon. *Alexander Elphinston*, Esq; Son of the Lord *Balmerino* at *Leith*.

Dy'd, Col. *Sackling*, Colonel of a Troop in Lord *Mark Kerr's* Regiment of Dragoons.

Dy'd, Sir *William Drake* in *Devonshire*.

Dy'd, the Hon. *Henry Hare*, Esq; Heir apparent to the Barony of *Coleraine*.

Dy'd, Sir *William Douglass* of *Killhead*, Bart.

Dy'd, Sir *John Stapleton* of *Myton* in *Yorkshire*.

Dy'd, *Samuel Read*, Esq; reputed worth 80,000 l.

NOVEMBER.

Preferments.

Sir *Philip Yorke*, late Attorney-General, made a Serjeant at Law, and Lord Chief Justice of the King's Bench, and afterwards a Baron of Great Britain, by the Name, Stile, and Title of Baron *Hardwick* of *Hardwick* of the County of *Gloucester*.

General *Sutton* appointed Governor of the Island of *Guernsey*, in the Room of the late Earl of *Suffolk*.

The Hon. *John Fitz-Williams*, Brother to the Countess of *Pembroke*, made Cornet of his Majesty's own Regiment of Horse, commanded by the Earl of *Pembroke*, in the Room of Capt. *Bembois*, made Captain-Lieutenant in the same Regiment.

The Hon. Mr. *John Sinclair*, Brother-in-Law to the Earl of *Gaithness* appointed one of the ordinary Lords of

of Session at *Edinburgh*, in the Room of *Sir William Calderwood*, deceas'd.

Capt. Tracey, Son to the late *Judge Tracey*, promoted to the Post of a Lieutenant in the Foot Guards.

Captain Goodyer, appointed Commander of the *Shoreham*, lately put into Commission.

Charles Talbot, Esq; late Solicitor-General, appointed Lord High Chancellor of Great Britain.

Captain Nathaniel Urlin, appointed Commander of the King's Packet-Boat between *Falmouth* and *Lisbon*.

Cha. Bowles, Esq; made Prothonotary to the Duchy of *Lancaster*, a Place worth 600*l.* per Ann.

Marriages.

The Right Hon. the Lord Gower, marry'd to the Lady *Atkins*, Relict of *Sir Henry Atkins*, Bart. and one of the Daughters of *Sir John Stonehouse*, deceas'd, late Knight of the Shire for the County of *Berks*.

Dudley Rider, Member of Parliament for *St. Germans*, marry'd to *Mrs. Newnham*, eldest Daughter of *Mr. Newnham* of *Streatham*.

M. Blossel, a Gentleman of Dutch Extraction, to a young Lady of 30,000*l.* Fortune.

Robert Thornton, Esq; one of the Directors of the Bank, to the Sister of *Charles Newby* near *Doncaster*, Esq; a Lady of a great Fortune.

Samuel Leigh of *Surrey*, Esq; to a Daughter of the late Colonel *Rachel*, a Fortune of 15000*l.*

Samuel Bosanquet, and eminent Merchant, one of the Directors of the *South-Sea Company*, to *Mrs. Dunster*, with a Fortune of 15000*l.*

The Rev. *M. Vidal*, one of the Ushers of *Westminster School*, to *Miss Studely* of *Smith-street, Westminster*, a Lady of 6000*l.* Fortune.

Deaths.

Dy'd, her Grace the Dutchess of *Ormond*, in the 68th Year of her Age, second Wife of *James* late Duke of *Ormond*. She was eldest surviving Daughter of *Henry* Duke of *Beaufort*, by his Wife *Mary*, Daughter of Lord *Capel*, beheaded in 1648, Sister to *Arthur* Earl of *Essen*, and Relict of *Henry Seymour Lord Beauchamp*, Son of *William* Marquess of *Hertford*.

Dy'd the Right Hon. *David Boyle*, Earl of *Glasgow*.

Dy'd

Dy'd Lady *Windsor*, Wife of Lord Viscount *Windsor*. She was sole Daughter and Heiress to *Philip* Earl of *Pembroke*, and Relict of *John* Lord *Jefferies*.

Dy'd Major *John Webb*, Governor of *Upnor* Castle, and the other Forts on the River *Medway*.

Dy'd Col. *Groves*, an old experienc'd Officer in the Army.

Dy'd Sir *James Ash*, whose Estate of 4000 *l.* per Ann. and a great Sum of ready Money devolves on *Joseph Windham*, Esq; an Wholesale Linnen-draper in *Austin Fryars*.

Dy'd Sir *Thomas Millar*, Bart. at his Seat at *Havant* near *Chichester*.

Dy'd *Philip Moreau*, Esq; possess'd of an Estate of 50,000 *l.* the Bulk of which falls to his only Son, *James Philip Moreau*, Esq;. The Deceased left 1000 *l.* to *Christ's Hospital*, and 300 *l.* to the Poor of *Knightsbridge* where he dy'd.

Dy'd Mr. *Liffemore*, an eminent Stone-cutter, possess'd of an Estate of 15000 *l.* per Ann.

Dy'd *Thomas Maynard* of *Worcestershire*, Esq; by whose Death, an Estate of 700 *l.* per Ann. comes to his eldest Sister, Wife of — *Gonson* of *Bedfordshire*, Esq;

Dy'd Sir *Charles Gunter Nichol*, Knight of the *Bath*, and Representative for the Town of *Peterborough*.

Dy'd Capt. *John Waters* at *Hammersmith*, in the 94th Year of his Age. He was in all the Wars with the late Duke of *Marlborough*.

Dy'd the Right Hon. the Countess Dowager of *Plymouth*.

Dy'd Mr. *Tancred*, an eminent Wholesale Woollen-draper in *Russel-street*, *Covent-Garden*.

F I N I S,

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